Drugs and Crime Prevention Committee

Inquiry into Crime Trends

FIFTH REPORT

October 2002

PARLIAMENT OF VICTORIA

DRUGS AND CRIME PREVENTION COMMITTEE

INQUIRY INTO CRIME TRENDS: FIFTH REPORT

October 2002

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Drugs and Crime Prevention Committee

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Functions of the Drugs and Crime Prevention Committee

The Victorian Drugs and Crime Prevention Committee is constituted under the *Parliamentary Committees Act 1968*, as amended.

Parliamentary Committees Act 1968

Section 4 EF.

To inquire into, consider and report to the Parliament on any proposal, matter or thing concerned with the illicit use of drugs (including the manufacture, supply or distribution of drugs for such use) or the level or causes of crime or violent behaviour, if the Committee is required or permitted so to do by or under this Act.

Terms of reference

Received from the Legislative Council

1 March 2000

That pursuant to the *Parliamentary Committees Act* 1968, the Drugs and Crime Prevention Committee be required to inquire into, consider and report on the following:

'The incidence of crime in Victoria and to report every six months to the Parliament on levels of crime, areas of emerging concern and (where suitable) options for crime reduction or control'.

15 May 2002

That pursuant to the *Parliamentary Committees Act* 1968, the Drugs and Crime Prevention Committee be required to inquire into, consider and report on the following:

(a) ' The incidence of crime according to municipal districts for the year ended 30 June 2002, compared with the previous four financial years, and to report to Parliament by the final sitting day of the Spring 2002 session as part of its 6 monthly report upon crime trends; and

(b) The report to include a breakdown of offences according to municipal district by crimes against persons, crimes against property, drug offences and other offences.'

Chairman's Foreword

The goal of the *Inquiry into Crime Trends: Fifth Report* by the Drugs and Crime Prevention Committee was to analyse in significant detail the reliability, usefulness and accessibility of crime statistics in Victoria.

It became clear throughout the course of this Inquiry that this work was both timely and necessary. The Committee consistently received evidence that problems exist with the collection and subsequent publication of Victoria Police crime statistics.

One important aspect of this Inquiry was to consider and report on the incidence of crime according to Victorian municipal districts. In attempting to obtain relevant and useful crime data in order to achieve this task, it became apparent to the Committee that this would prove difficult. Indeed, the Committee identified a number of significant issues that make the accurate depiction of meaningful crime information on a local government area basis extremely complicated. This is discussed extensively in the Report.

Another major aspect of this Report is a detailed discussion of the Australian Institute of Criminology's (AIC) review of Victoria Police Crime statistics. The AIC report examines the collection, management and subsequent publication of crime statistics by the Victoria Police. The report also examines the relevant policy associated with this issue.

The AIC report highlights a number of problems with current police processes. In particular, it has concerns regarding the way in which police identify crime incidents as appropriate for recording as crime statistics. The response by Victoria Police to this issue is not in proportion to the seriousness of the potential distortion of crime data that may result. The fact that the report has not been released publicly is also of considerable concern.

The Committee's Report also puts forward the case for an independent Bureau of Crime Statistics and Research, and the options for establishing such an office. The Committee is of the view that the establishment of an independent bureau would increase Victoria's capacity to understand what happens in the criminal justice system and to formulate ways of responding to crime. In comparison with other States, Victorians lack access to detailed, accurate and independent information about many aspects of the criminal justice system.

Crime statistics are a critical public interest issue and current arrangements for the production and dissemination of crime data are open to perceptions of bias and do not satisfy best practice standards. The Committee's recommendations are therefore targeted to address these issues and provide a basis for moving forward in a logical and practical manner.

Finally, my thanks to the Committee staff Ms Sandy Cook, Executive Officer and Ms Michelle Heane, Office Manager, for their assistance with this Inquiry. In particular I would like to thank Mr Stuart Ross and Mr Dennis Challinger, consultants on this Report, for their commitment to the project and for drafting this Report. Until late 2000 Mr Ross was Director of the National Centre for Crime and Justice Statistics in the Australian Bureau of Statistics. He is currently Project Manager for the Melbourne Criminology Research and Evaluation Unit within the Department of Criminology at the University of Melbourne. Mr Challenger also works at the Criminology Department. I would also like to acknowledge the assistance of Mignon Turpin in editing this Report and Chris Watson from zapwhizz.com.au for his design work and laying out the Report.

Cameron Boardman MLC

Chairman

Recommendations

In order to achieve a high quality system of crime statistics it is necessary to have accurate and effective collection and processing of crime data by the police, and expert analysis and dissemination of crime information in a manner that is free of the perception of bias.

Recommendations

1. The Committee recommends that a Bureau of Crime Statistics and Research be established in Victoria as an independent statutory agency reporting directly to Parliament.

2. That the functions of this Bureau should include:

   - Establishing system-wide statistical standards and coordinating the collection of criminal justice statistics by criminal justice agencies;

   - Collecting and publishing criminal justice statistics on specific topics and on a system-wide, integrated basis, with particular emphasis on:

     - The commissioning and analysis of a regular state victimisation survey;

     - The re-establishment of higher court caseflow and sentencing statistics

   - Monitoring changing patterns of criminality and the impact of those changes on the criminal justice system;

   - Disseminating criminal justice information to Parliament, government agencies and the community;

   - Monitoring the implementation of important criminal justice initiatives;

   - Undertaking research on criminal justice matters.

3. The Committee recommends that a further review be undertaken to determine the legislative mechanisms required to establish a Bureau of Crime Statistics and Research on this model, its organisational structure and funding base.

4. The Committee endorses the AIC's comments in regard to the LEAP system and supports its recommendations for enhancements and modifications to the LEAP system to meet contemporary international standards of data base integration, use of technology, and usefulness for both investigation and reporting.

5. The Committee endorses the AIC recommendation for Victoria Police to consider a move to a prima facie method of reporting crime.

6. That the Australasian Police Ministers' Council should consider the desirability of:

- common national policing IT systems.
- common national standards for crime data.

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1. Introduction

Terms of Reference

On 1 March 2000 the Drugs and Crime Prevention Committee received from the Parliament of Victoria a reference to inquire into consider and report on:

> The incidence of crime in Victoria and to report every six months to the Parliament on levels of crime, areas of emerging concern and (where suitable) options for crime reduction or control.

In conducting its Inquiry into crime, the Committee has sought to achieve two distinct goals. The first goal has been to place before the Victorian community a series of reports setting out the extent and nature of crime in the State. To date the Committee has submitted four reports arising from this reference. Three of these reports, submitted at six-month intervals, provide a general review of crime patterns and trends in Victoria. One report considered the particular issue of crime in the Melbourne Central Business District. The first part of this Fifth Report by the Committee continues this process by examining the relationship between Victorian and Australian crime rates during the period 1997 to 2001 using national crime statistics produced by the Australian Bureau of Statistics.

On 15th May 2002 the Committee was directed to extend the scope of its inquiry into crime by examining the spatial distribution of crime in Victoria. The Terms of Reference for this inquiry were:

To inquire into, consider and report on the following:

(a) The incidence of crime according to municipal districts for the year ended 30 June 2002, compared with the previous four financial years, and to report to Parliament by the final sitting day of the Spring 2002 session as part of its 6 monthly report upon crime trends; and

(b) The report to include a breakdown of offences according to municipal district by crimes against persons, crimes against property, drug offences and other offences.

The second part of this Report presents the findings of the Committee's preliminary work in relation to these Terms of Reference.

Effective crime reduction and control strategies need to be based on high quality information and analysis about the nature and extent of crime. In the course of preparing this Inquiry it has become clear to the Committee that analysis and debate in Victoria about crime and justice issues are constrained by gaps in the statistics and the lack of any state body with responsibility for providing independent, expert analysis of criminal justice statistics and related issues. In this Report the Committee considers how these deficiencies should be addressed, and proposes the creation of an independent Bureau of Crime Statistics and Research tasked with extending and improving the quality of criminal justice information in Victoria and providing the capability for independent research and analysis of criminal justice statistics.

Scope of this Report

This Report considers four distinct issues relating to the quality and adequacy of crime statistics in Victoria. These are:

- ◆ the relationship between Victorian and Australian crime patterns and trends;

- ◆ how the distribution of crime across different parts of the state should be measured and mapped;

- ◆ the quality and coverage of crime statistics produced by the Victoria Police, and;

    the establishment of a Bureau of Crime Statistics and Research in Victoria.

This first chapter of the report considers some broad issues of statistical principles and methodology that provide a basis for assessing issues about criminal justice information in Victoria. The chapter sets out a four-stage model for reliable, comprehensive information about crime and justice, and examines the conditions that need to be satisfied in order for the model to be applied. While the general problem of inadequate crime and justice information is a long-standing one in Victoria, there have been some recent developments in other jurisdictions that point to solutions to these problems. Three important developments in criminal justice statistics are reviewed and key issues within them are identified.

Chapter 2 compares the level of crime in Victoria with national crime patterns as measured by the Australian Bureau of Statistics (ABS) over a five-year period (1997 to 2001). This chapter also includes a brief analysis of the comparative use of weapons in robberies in Victoria and across Australia, based on new ABS data.

Chapters 3 and 4 presents the findings of the Committee's preliminary work in relation to its Terms of Reference pertaining to the distribution of crime across municipal districts. The Committee was unable to gain access to a sufficient base of geographically-coded crime data to support the analysis requested by Parliament, and Chapter 3 of this report is mainly concerned with outlining

some of the methodological issues associated with the use of area-based crime data. The Committee recognises that this is an issue of considerable significance to understanding crime in this state, and hopes that this report will serve as a basis for future work in the analysis and mapping of crime data.

Notwithstanding these methodological difficulties, Chapter 4 provides examples of crime maps of the Melbourne metropolitan area and Victorian country regions for nine different offence types. Given the difficulty of calculating reliable crime rates, these maps should be seen only as indicative of the possibilities provided by maps for public policy development.

Chapter 5 considers the adequacy of existing crime statistics in Victoria based on the recently completed review of the Victoria Police crime statistics, conducted by the Australian Institute of Criminology (AIC). This chapter analyses and comments on the findings and recommendations of the AIC review. As the AIC review is mainly concerned with the quality of Victoria Police information management and processing, this chapter also examines some of the issues that fall outside the scope of the AIC review.

The final three chapters of the report consider a solution to the problems of crime statistics in Victoria. Many jurisdictions, both in Australia and internationally, have created an independent bureau of crime statistics to provide comprehensive and reliable information about crime and justice. The Drugs and Crime Prevention Committee is not the first Parliamentary Committee in Victoria to address the problem of inadequate information about crime and justice, and call for the creation of an independent Bureau of Crime Statistics. Chapter 6 reviews these previous attempts to provide answers to these problems, as well as some recent reports calling for better information about crime and justice in Victoria, and then offers a considered view as to whether there is a demonstrated need for a Bureau of Crime Statistics in Victoria.

Options for a Bureau of Crime Statistics and Research are discussed in Chapter 7. Organisations fulfilling this general function exist in other Australian states and in many other countries, and a brief review of the nature, functions and organisational arrangements of these bodies is given. This chapter proposes a number of functions that should be undertaken by a Bureau, and examines different structural arrangements under which a Bureau could be established. The Report concludes with a series of recommendations for establishing a Bureau of Crime Statistics and Research in Victoria as an independent statutory body.

Principles of crime statistics

In order to achieve a better system of crime statistics in Victoria, it is necessary first to understand what constitutes a good statistical system[1]. Most of the information available about crime and justice issues comes from administrative systems designed to gather information about the demand for or delivery of government services, or from specialised data collections (usually surveys) that address issues that are not represented in these administrative systems. In order to obtain good quality information about crime and justice issues, it is necessary to have a system for the collection and analysis of information that meets some basic requirements for statistical systems. Figure 1.1 shows a four-stage model of a statistical system that applies to the criminal justice system, and is also valid for many other kinds of information. The same principles apply to information about the economy, health services, education or virtually any other field of organised activity.

It should be noted that there are other important sources of information about crime and justice that do not fit this model. Reportage in print or electronic media, comments, feedback and complaints from members of the public to politicians or government agencies, and the demand for services by voluntary agencies all constitute information about how people relate to the criminal justice system.

Figure 1.1: Four-stage model of a statistical system

Defining the scope and standards	Collection processes	Data processing and management	Output and analysis

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1   The statistical model presented here draws on a variety of sources. A general review of social statistics concepts can be found in the Australian Bureau of Statistics' Statistical Concepts Library (ABS Cat. No. 1361.0.30.001) and on the ABS website at http://www.abs.gov.au. A review of statistical standards and concepts relating to criminal justice can be found in The National Criminal Justice Statistical Framework (ABS, 2001). General reviews of social statistical processes can be found in Fielding & Gilbert (2000) and Duncan & Gross (1995).

Scope and standards

A good quality system for crime and justice statistics begins with the way that the scope and standards of the system are defined. Ideally, the system should collect information about all the relevant aspects of the issues of concern. For example, crime statistics should include information about all forms of crime, not just serious crimes. Sometimes this may mean that several statistical systems are required in order to give a comprehensive coverage of an issue. Police crime statistics only provide information about matters that come to the attention of police, and usually provide little information about patterns of victimisation over time, the social context in which victimisation occurs or the impact of victimisation on the victim. These statistics need to be supplemented by victimisation surveys in order to achieve a full understanding of the nature of crime in our society. The scope of statistical collections is a critical issue where a lot of the activity of interest takes place outside formal processes. For example, most of the activity in the civil justice process takes the form of negotiations between plaintiffs and defendants through the agency of private solicitors, and only a minority of cases ever reach a court of law.

In the past, the criminal justice system was generally regarded as three separate systems – police, courts and corrections – and there was little or no connection between the information collected at each level of the system. However, it is now widely recognised that many key questions can only be answered by combining information from different levels of the system. The effectiveness of police diversionary programs can only be properly assessed if it is possible to follow people from their contact with police through any court or correctional processes. As a result, a critical scope issue for criminal justice statistics is how any one system connects up to other statistical systems.

Statistical standards include the definitions, classifications and counting rules that prescribe how the statistical system should operate. In order to achieve good quality information about crime and justice issues, these standards need to satisfy several criteria. They should be clearly defined so that there is no ambiguity about how a matter should be processed in the system. They should be structured in a way that reflects the kind of issues of greatest importance to users of the information. Given the importance of linking information across different parts of the criminal justice system, the consistency of standards between different statistical systems is also a key requirement. Many important questions in crime and justice involve comparisons between jurisdictions, and this requires standards that can be applied to the information systems of different States and Territories, or even countries. This typically involves a trade-off, as statistics that are comparable across jurisdictions frequently involve the simplification of complex issues.

Figure 1.2: Scope and standards requirements for statistics

- Statistics should be comprehensive, covering all issues of importance
- Statistical systems should provide for linkages with information from other, related systems
- Standards should be clearly defined
- Standards should reflect user requirements

Collection processes

Good statistics require that the way in which information is collected is consistent with the prescribed scope and standards. Most criminal justice information is collected by people whose main job is the delivery of some kind of service, and it is critical that these people understand the requirements for the information they collect. A primary requirement is that information is collected about all the events or matters of interest. This can be particularly problematic where there are different processes used to deal with a matter. For example, 'dual track' systems for responding to family disputes or child abuse or neglect matters may mean that incidents which come to the attention of criminal justice agencies are not all recorded in the same way. Another requirement is that all the important items of information about an event or matter are collected. This may not occur when people are under pressure to deal with work expeditiously and so fail to collect detailed information about matters that seem relatively unimportant to them.

Much of the information of interest in criminal justice involves complex issues and therefore may be difficult to collect. Examples include the indigenous status of people, the relationship between victims and offenders, and the extent of drug or alcohol abuse. Information like this must be collected carefully, and usually requires the cooperation of the person providing it. Criminal justice personnel often find themselves dealing with people who are unable or unwilling to provide information. Thorough training in both the scope and standards that apply to information and the best way to elicit it is an important requirement for good statistics.

Figure 1.3: Collection requirements for statistics

- Collection systems should ensure that all matters of interest and all key items of information are included
- People collecting information should have a thorough knowledge of what should be collected and how information should be obtained

Data processing and management

Virtually all statistical information collected about crime and justice is processed through computer-based information systems. Once data has been collected by people in the field, there are a number of data processing and data management requirements that need to be satisfied in order to ensure that the information from these systems is accurate and comprehensive.

The most basic data processing requirement is that the information entered onto the system should be the same as that originally collected in the field. The way this is done will depend on how data is entered onto the computer-based information system. Sometimes data is entered directly by the people who collect it; for example, much of the data collected about prisoners is keyed into the Prisoner Information Management System by the people who interview prisoners as they are received into custody. Other data is collected in hard copy and goes to a central data entry bureau. Police crime reports are originally collected in a series of forms which are then faxed to the Central Data Entry Bureau for entry onto the police Law Enforcement Assistance Program (LEAP) computer system. Data can also be processed by direct electronic transfer from another computer-based information system. Some sentencing data collected by the courts is passed on to both the police and corrections in this way.

Effective management of these information systems is necessary if they are to provide high quality information about crime and justice. Important data management processes include monitoring information collected in the field to ensure it is fully and accurately entered onto the database, checking that forms are complete and coded consistently with statistical standards, and auditing records for accuracy.

Figure 1.4: Data processing requirements for statistics

- Data from the field should be checked for completeness and accuracy

- Data entry should have a low error rate and be subject to systematic quality checks

Output and analysis

Statistical information about crime and justice is of limited use until it is made available to users in an appropriate form. Output may be in the form of tables, charts or maps, or it may require more sophisticated analysis. A key output requirement is that users should be able to access information in a format that is appropriate to their needs. This requires the agencies responsible for collecting, processing and outputting information to have a good understanding of the way their information is used by other people.

Another output issue is that some important questions can only be answered by analysing data. For example, if one is concerned about how some feature of

the criminal justice system changes over time, it is necessary to carry out a trend analysis to identify significant changes from random movements. This kind of analysis may require specialist knowledge of statistical techniques.

However, analysis of crime and justice information involves more than just 'number crunching'. Ultimately, answering complex questions about crime and justice requires that someone is able to provide a reliable interpretation of what the information means. One of the key requirements for this part of the crime statistics process is that the person or body providing the analysis and comment must be seen as unbiased and trustworthy.

Figure 1.5: Output and analysis issues for statistics

- Output should be flexible and tailored to meet the needs of users

- Complex issues may need to be addressed by appropriate statistical analysis

- Sources of analysis and comment should be unbiased and trustworthy

Some recent developments in crime and justice statistics

Crime and justice statistics have their origins in collections first established in the 19th century, and the statistics in use now retain many of the same features as those first collections. Enumerations of basic concepts, including counts of the numbers of crimes, offenders processed, sentencing outcomes and prisoners received are still important elements in the statistical systems maintained in most jurisdictions. Comparability over time is one of the primary requirements of any statistical system, and in this respect the continuity of statistics is a desirable feature. Over the last two decades the scope and complexity of the administrative systems that are the source of most crime and justice statistics have increased greatly. This is due mainly to the introduction of powerful computer-based record-keeping systems. In addition, the problems facing criminal justice policy makers, legislators and administrators have also become more complex. The failure of statistical systems to keep pace with these developments is an important limiting factor on our ability to manage the criminal justice system effectively.

In recent years there have been a number of important conceptual and methodological developments in crime and justice statistics. These developments hold the promise of more meaningful statistics that better meet the needs of users. They include new ways of thinking about how crime statistics should be collected and analysed, better ways to relate information across different parts of the criminal justice system, more focussed ways of applying statistics to the problems facing decision makers in the criminal justice system, and more systematic statistical standards that give better comparability over time and across jurisdictions.

Rethinking the nature of crime statistics: Home Office Review of Crime Statistics

In July 2000 the Home Office in the United Kingdom completed a lengthy and detailed review of crime statistics (Home Office 2000[2]). This review attempted to answer the question: 'Where do we want crime statistics to be in five years time?' It considered the crime information needs of police, the Home Office, Parliament, victims and the general public. The report argued that the current system of crime statistics in the United Kingdom was seriously flawed, resulting in a widespread perception that crime statistics were meaningless. Even specialist users of crime statistics like the police and the Home Office rarely used the available information about crime, in large part because it was not available in ways that made it useable.

The Home Office report called for substantial changes to the way that crime statistics in the UK are collected, analysed and disseminated. The proposals in the Home Office report were framed by a vision for a system of crime statistics 'where we first define the problems requiring solution and then develop the information needed to better understand those problems, and thereby support decision-making directly' (Home Office, 2000, p.ii). This vision is set out in the Home Office report as follows:

> The new system we envisage will be one:
>
> • where officials in the Home Office, the police and local partnership organizations make regular use of wide-ranging and timely information on crime and criminality that is capable of informing their operational and policy-making decisions;
>
> • where organisations share information collected on a consistent and consistently understood basis in order to better learn from each other's experiences and practice;
>
> • where the process of both collecting and compiling data becomes straightforward and routine, and therefore human effort can be redirected towards the creative and intelligent analysis of that information;
>
> • where there exists a clearly understood and reliable picture of the performance of government and communities in reducing crime;
>
> • where the public have instant access to a wide range of data relating to crime in their locality and can routinely compare that with the surrounding local area, and similar areas nationwide;
>
> • where the public and academics have confidence in the picture of crime portrayed by statistics (Home Office 2000, p.ii).

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2   In July 2001 the Committee had extensive discussions with representatives of the Research, Development and Statistics Directorate of the Home Office and the Bureau of Justice Statistics in the US National Institute of Justice.

Some of the key recommendations in the Home Office report included:

- ◆ Police should record crime incidents on a prima facie rather than evidential basis. That is, incidents should be reported when they first come to attention of police, usually on the basis of a 'call for service'. The practice of counting only those incidents that meet evidential requirements for being accepted as valid crimes on which an eventual prosecution might be based leads to inconsistencies and the undercounting of incidents where evidential requirements are difficult to satisfy (such as some sexual offences) or where victims are reluctant to press charges against the offender (such as intra-familial violence).

- ◆ Statistics on crime collected by the police should wherever possible be supplemented by statistics derived from surveys of victims.

- ◆ Crime recording systems should link incidents and the actions and outcomes arising from those incidents.

- ◆ There should be greater priority given to the geographic analysis of crime and criminal justice data.

- ◆ Crime statistics should provide information about the time that elapses between initial reports and police action, and about the repeated victimisation, ethnicity, the relationship between victims and offenders, and the motivation for crimes (especially 'hate crimes').

The reforms envisaged by the Home Office report will entail very substantial changes to all of the elements of the crime statistics model set out above. The scope and standards that form the basis of statistics will need to change, as will the administrative systems whereby police collect and process information, and the output and analysis arrangements under which the police and the Home Office make crime and justice information available to users. This change process has only just commenced but seems likely to result in a dramatic improvement in the comparability, quality and usefulness of crime statistics in the UK.

Understanding the characteristics of crime incidents: The US National Incident Based Reporting System

The Uniform Crime Statistics (UCR) series in the United States is one of the longest running statistical series on crime. The UCR statistics are organised around the traditional model of person or event-based counts, with the output presented as aggregates or summary statistics. This is essentially the same model that applies to crime statistics in Victoria and other Australian jurisdictions. Beginning in the early 1990s the US National Institute of Justice in cooperation with the Federal Bureau of Investigation designed and progressively implemented a new system of incident-based statistics called the National Incident Based Reporting System (NIBRS).

Under the NIBRS system, criminal justice agencies report crime data in terms of incidents, where information about each incident includes the time, place and nature of the offence, the characteristics of the victims and offenders involved in the offence and the relationship between them, and the arrest and disposition outcomes of the incident. The NIBRS system also provides for crime information to take into account multiple offences committed in the course of a single incident (Maxwell 1999).

The NIBRS statistical system allows crime to be understood as complex, interlinked events rather than as simple, unconnected crime variables. Compared with traditional summary-level crime statistics, the NIBRS system allows much more powerful and sophisticated analysis of crime, including:

◆ Better understanding of sequential and multiple victimisations;

◆ Analysis of the relationships between offender characteristics and crime characteristics;

◆ Analysis at individual, household and area (neighbourhood, city, state) level; and

◆ The relationships between crime incident characteristics and policing outcomes.

Most modern police information systems, including the Victoria Police LEAP system, are organised around linked data entities of incidents and sub-incidents that are similar to the kind of data entities in NIBRS. NIBRS represents a model for crime statistics that parallels these data models and thus offers the possibility of fully exploiting the potential of these systems to better understand the nature of crime.

Establishing a national framework for crime statistics: ABS Crime and justice statistical framework

In Australia the administration of crime and justice is mainly a State and Territory responsibility. Most of the laws governing criminal behaviour, sentencing and corrections are enacted by State and Territory governments, and most of the work of administering criminal justice is done by State and Territory agencies. Nevertheless, there are many important issues in crime and justice that require comparisons across these jurisdictional boundaries. The responsibility for preparing nationally comparable statistics rests with the Australian Bureau of Statistics through its National Centre for Crime and Justice Statistics (NCCJS).

In July 2001, the NCCJS released a 'National Criminal Justice Statistical Framework' (NCJSF). This framework was designed to serve as the basis for comprehensive and integrated national criminal justice data. The goal of the NCJSF is to ensure consistent reporting across jurisdictions and criminal justice agencies, and allow for an examination of the flow of aggregate populations of offenders through the criminal justice system.

The NCJSF identifies some of the key counting units (such as 'person' and 'criminal incident') and data variables that characterise its main aspects. The framework is also concerned to take into account the connections across the main sectors of the criminal justice system and the statistical standards in the framework are intended to assist with the integration of criminal justice data between the different sectors of the criminal justice system. This is achieved by using common definitions and standards across services areas and jurisdictions. In effect, the NCJSF provides a common language that facilitates a shared understanding of the criminal justice system and the populations that flow through it.

At present, the NCJSF is mainly a set of concepts about how criminal justice information should be dealt with in a systematic and integrated fashion. The full value of the framework will not be realised until these concepts are implemented into the operational databases maintained by criminal justice agencies.

Conclusion

The Home Office review, the development of incident-based crime statistics in the Unietd States and the ABS statistical framework are important developments in criminal justice statistics. However, their features and mechanisms represent solutions developed in response to the requirements for *national* criminal justice statistics in the United Kingdom, United States and Australia. This report is concerned with the specific needs of the Victorian community for criminal justice information. The proposals and recommendations in later chapters of this report represent an attempt to apply these techniques and methodologies to the particular problems facing Victoria.

2. Comparison of Victorian and Australian Crime Rates

Comparing Victorian and Australian crime statistics

Victoria's official crime statistics are published by Victoria Police and give an annual 'snapshot' of offending within the State. However when the Victorian statistics are publicly released, questions regarding crime rates inevitably emerge. Examples of the questions that people ask include:

♦ Why are there more reported offences of a certain sort this year?

♦ Why are there less of others?

♦ Why are assaults in licensed premises continuing to rise?

The published statistics provide the hard evidence that inform the debate about such questions, and these statistics provide the basis for development of policies to deal with particular offences. However, there are other questions that cannot be addressed with the published Victorian statistics alone. For instance, while both victimisation surveys and official crime statistics show that Victoria's crime rates are generally stable and low in comparison with Australian rates, they are changing. Are there offences where Victoria's crime rates are moving differently from Australia's? Does Victoria's contribution to Australia's crime problem show any signs of changing?

Since 1993 when national crime statistics[3] were first compiled by the ABS, Victoria's total crime rate has been well below the national figure. In 2001 Victoria reported a rate of 6096.9 reported offences per 100,000 population compared with the Australian rate of 7592.4 per 100,000.

Victoria has the lowest total crime rate for all the six States and the two Territories. The next lowest is Tasmania with a rate of 6370.6, then Queensland (6480.8) and the ACT (6620.4). There is then a substantial jump to the remaining jurisdictions, NSW (8294.6), NT (9433.8), WA (9666.5) and SA, which has the highest individual total crime rate of 9757.5.

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3. A technical note on data sources for this report can be found in Appendix 1.

However, these total rates can be misleading as they do not take into account the dominant influence of property crimes (comprising the ABS categories of unlawful entry with intent that involve property theft not just trespass, motor vehicle theft, and other theft). For Australia as a whole, these property offences comprise 79.1% of all offences in the ABS report, so any jurisdiction with high property crime rates will finish with a high total crime rate (see Table 2-1). This is precisely the case with South Australia which has the dubious distinction of having the highest total crime rate, primarily because it has high property offences rates and they constitute 77.9% of all its reported crime.

Table 2.1: 2001 Total crime rates and property crime percentages

Jurisdiction	Total Crime Rate (per 100,000 population)	Percentage of Property Crime (1)
VIC	6096.9	85.8%
TAS	6370.6	80.6%
QLD	6480.8	80.7%
ACT	6620.4	84.6%
NSW	8294.6	75.3%
NT	9433.8	70.3%
WA	9666.5	78.7%
SA	9757.5	77.9%
AUSTRALIA	7592.4	79.1%

Source: ABS 2002, *Recorded Crime Australia 2001*, ABS, Canberra
(1) Property Crime comprises the ABS crime categories of unlawful entry with intent, motor vehicle theft, and other theft

Meanwhile, the Northern Territory, with a total crime rate only just below that of South Australia, reports only 70.3% of its offences as property crimes. Its high total crime rate results from its very high rates of assaults. It is arguable that a jurisdiction with high rates for offences against the person should be viewed as having a far greater crime problem that one with high rates for the relative minor property crimes that make up the majority of 'other theft'. Most Australians would consider the Northern Territory to have a more serious crime problem than South Australia, despite the latter's higher numerical rate.

Victoria's reported offences include 85.8% property crime, the highest percentage for any jurisdiction. Moreover, Victoria has the lowest rate for unlawful entry with intent and the second lowest for 'other theft' (after Tasmania). Those configurations set it well on the path to having a low total crime rate. However, Victoria's motor vehicle theft rate is the second highest in Australia (after South Australia).

There is considerable variation in the pattern of crime across the Australian States and Territories. While Victoria has generally low crime rates across most of the ABS categories, there is no jurisdiction that exhibits high crime rates across all categories. The variation between the jurisdictions across the different ABS offence categories is illustrated in Table 2.2.

Table 2.2: Comparative crime rates (per 100,000 population) across offence categories for year 2001

ABS Offence Category	Victorian Rate	Australian Rate	Highest Rate (and jurisdiction)	
Homicide	3.8	5.4	7.5	(QLD)
Assault	337.0	782.9	1486.4	(NT)
Sexual assault	53.7	86.4	133.1	(NT)
Kidnapping/abduction	2.2	3.9	7.2	(NSW)
Robbery	93.5	137.1	233.2	(NSW)
Blackmail/extortion	2.3	1.8	3.7	(SA)
Unlawful entry with intent	1678.4	2246.9	3250.9	(WA)
Motor vehicle theft	814.4	722.0	842.9	(SA)
Other theft	3111.6	3607.5	5267.3	(SA)
TOTAL	6096.9	7592.4	9757.5	(SA)

Source: ABS 2002, *Recorded Crime, Australia 2001*, ABS, Canberra.

Victorian and Australian crime trends: 1997 to 2001

Over the last five years Victoria has consistently contributed about 20% of all offences reported by the ABS for Australia, although both the State and the nation have experienced slightly increased crime rates in this period of time (see Figure 2.1). The total rate of reported crimes in Australia increased by 18.2% over the five years, slightly less than the 19.0% increase for Victoria. Nevertheless, Victoria's crime statistics can still be said to be fairly stable in the Australian context.

The following tables and figures show changes in the level of crime in Australia and Victoria over the past five years (1997 to 2001). Each figure shows the rate of crime (expressed as the rate of offences per 100,000 population) for Australia and Victoria, the total number of offences of each type recorded by police in Australia and the percentage of these offences that took place in Victoria.

Figure 2.1: Total crime rates (per 100,000 population), 1997–2001

	1997	1998	1999	2000	2001
Total number of offences in Australia	1,244,346	1,300,457	1,330,818	1,401,383	1,471,948
Victoria as a percentage of Australian Total	19.9%	19.2%	20.1%	20.2%	20.0%
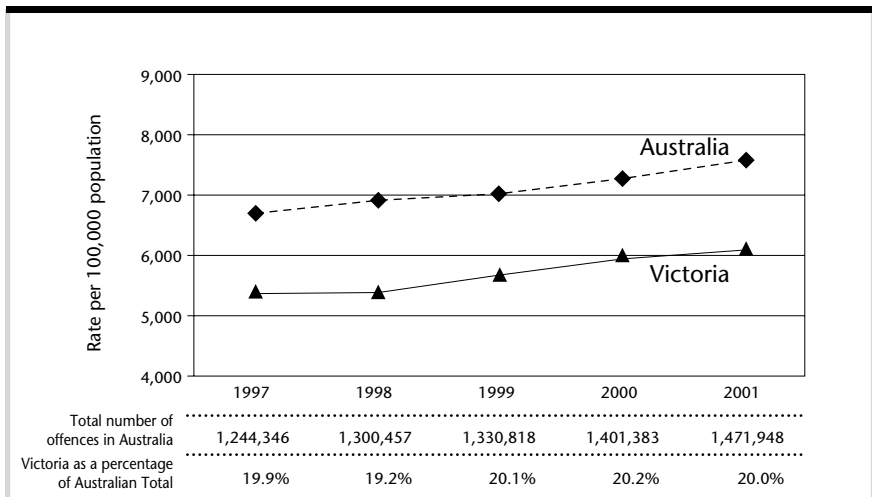
Source: ABS 2002, *Recorded Crime, Australia 2001*, ABS, Canberra.

Despite the relative stability of Victoria's contribution to crime in Australia it is important to look separately at each of the offence categories reported by the ABS. Analysis of each offence category follows.

Homicide and Related Offences

This offence category comprises the offences of murder, attempted murder, manslaughter and driving causing death. Note that the Australian figures are incomplete due to a change in the recording practice for the offence of driving causing death offences in NSW which led to no figures from that State for 1997.

Figure 2.2 shows that while Victorian homicide figures, as a whole, tend to be fairly stable, there has been a discernible increase in the homicide rate for Victoria – over the five-year period the rate rose from 2.9 to 3.8. The major factor in this rise is the increase in the number of offences of (culpable) driving causing death which rose from 25 in 1997 to 72 in 2001. In fact these driving offences accounted for 39% of all homicides in 2001, up from only 18% in 1997.

This change does not necessarily mean that there have been more road fatalities resulting from culpable driving, but is more likely to be due to an increase in the proportion of fatalities that are being dealt with as crimes. There are very large differences between Australian States and Territories in the rate of driving causing death, and these are mainly due to the difference in the rules that police apply to when deciding whether or not to proceed against someone for driving causing death.

Figure 2.2: Homicide and related offences (per 100,000 population) 1997-2001

	1997	1998	1999	2000	2001
Total number of offences in Australia	N/A	995	970	1,020	1,047
Victoria as a percentage of Australian Total	N/A	15.1%	17.5%	16.9%	17.7%
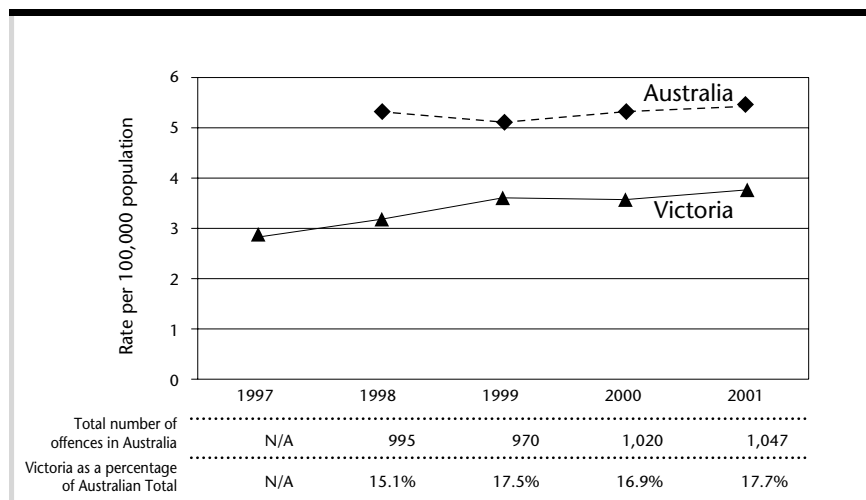
Source: ABS 2002, *Recorded Crime, Australia 2001*, ABS, Canberra.

Assault

The Victorian rate is consistently lower than the Australian rate (see Figure 2.3) and over the five-year period the annual number of assaults reported in Victoria has actually decreased by 4.8%, while the number for Australia has increased by 21.9%. Victoria's 2001 assault rate of 337 per 100,000 is well below the Australian rate of 783, and significantly less than NSW (1,155) and the Northern Territory (1,486). However, the number of reported assaults for 2001 rose markedly from the 2000 figure – by 9.4% Australia-wide, and by 13.5% in Victoria.

Figure 2.3: Assault rates (per 100,000 population), 1997–2001

	1997	1998	1999	2000	2001
Total number of offences in Australia	124,500	130,903	134,271	138,708	151,753
Victoria as a percentage of Australian Total	13.7%	13.6%	12.8%	10.3%	10.7%
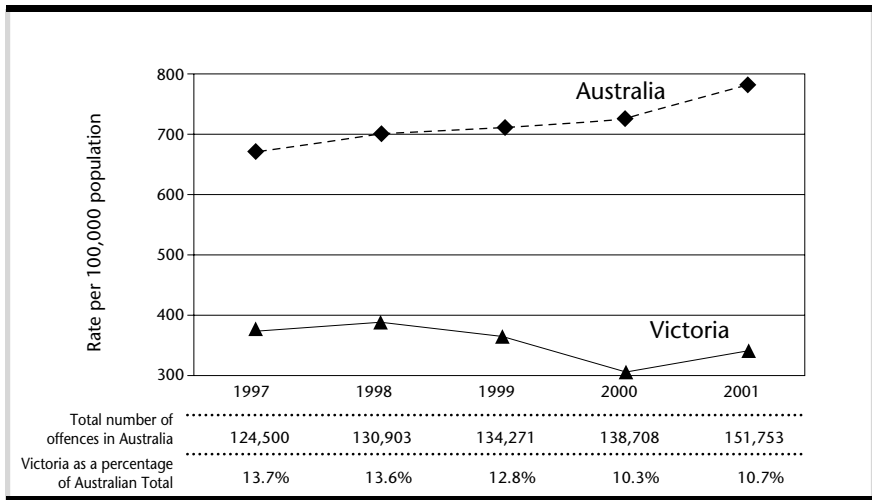
Source: ABS 2002, *Recorded Crime, Australia 2001*, ABS, Canberra.

Sexual Assault

The ABS defines sexual assault as a 'physical assault of a sexual nature directed towards another person who does not give their consent, has given consent as a result of intimidation or fraud, or is legally deemed incapable of giving their consent'. This ABS category therefore includes the Victoria Police crime categories of Rape as well as indecent assault offences counted in the Victoria Police category of Non-rape Sexual Offences.

The reported Victorian offences show decreases on all measures. The raw number of reported offences fell by 12.3% over the five years (from 2,954 to 2,591). Victorian offences accounted for 15.5% of the Australian total (down from 20.6% five years earlier). And the Victorian sexual assault rate fell to 53.7 per 100,000 in 2001 from 64.1 in 1997 (see Figure 2.4).

Figure 2.4: Sexual assault rates (per 100,000 population), 1997–2001

	1997	1998	1999	2000	2001
Total number of offences in Australia	14,353	14,336	14,104	15,759	16,744
Victoria as a percentage of Australian Total	20.6%%	20.8 %	19.9%	15.9%	15.5%
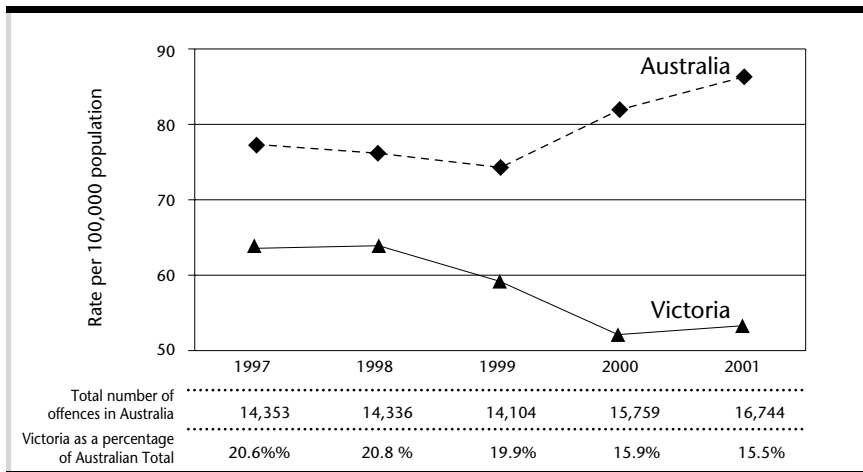
Source: ABS 2002, *Recorded Crime, Australia 2001*, ABS, Canberra.

Other Offences Against Persons

This category comprises the offences 'kidnapping/abduction', 'robbery' (both armed and unarmed), and 'blackmail/extortion'. For both Australia and Victoria, robberies provide the bulk of this category. In 2001, robbery comprised 96.0% of the Other Offences Against the Person in Australia, and 95.4% of Other Offences Against the Person in Victoria.

As can be seen in Figure 2.5, Victoria's contribution to the Australian figures has increased notably over the five-year period, from 12.2% to 17.1%. This was caused by an 81.3% increase in the total number of robberies – from 2,489 to 4,513 – most of them being armed robberies which increased by 116.6% compared with a 48.7% increase in unarmed robbery offences. In 1997 armed robberies comprised the minority (48.0%) of all reported robberies in Victoria, but by 2001 they comprised 57.4% of all robberies.

Figure 2.5: Rates of other offences against persons (kidnapping, robbery, blackmail (per 100,000 population), 1997–2001

	1997	1998	1999	2000	2001
Total number of offences in Australia	22,227	24,778	23,627	24,286	27,675
Victoria as a percentage of Australian Total	12.2%	12.9%	15.3%	14.6%	17.1%
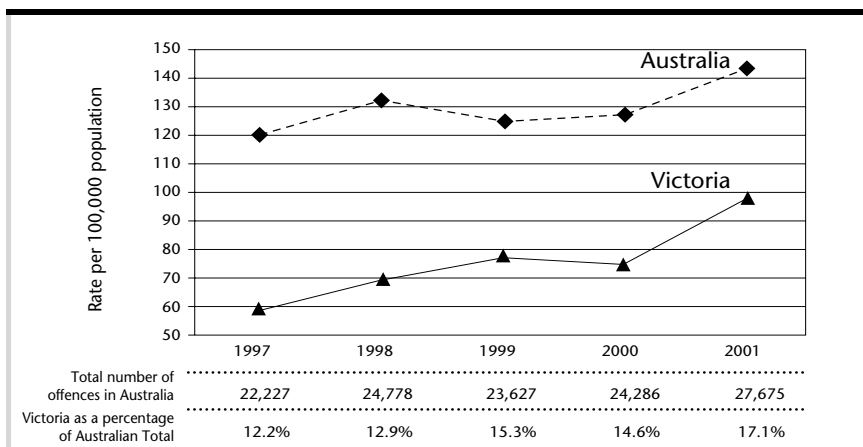
Source: ABS 2002, *Recorded Crime, Australia 2001*, ABS, Canberra.

Unlawful Entry With Intent

This offence category is defined by the ABS as offences involving the 'unlawful entry of a structure (either forced or unforced) with the intent to commit an offence such as theft, property damage, assault etc… (it) also includes trespass whereby entry is unlawful but there is no intent to commit an offence'. It includes the Victoria Police offence categories of Aggravated Burglary, Residential Burglary and Other Burglary.

The 'burglary rate' in Victoria fell away in 1998, but for the other four years in the period remained in the 1,600s, reaching a high of 1,678.4 in 2001. These rates, are stable compared with the Australian rate which is consistently in the 2,200s, and reached a rate of 2246.9 in 2001.

Figure 2.6: Rates of unlawful entry with intent (per 100,000 population), 1997–2001

	1997	1998	1999	2000	2001
Total number of offences in Australia	421,569	434,376	415,735	429,374	435,524
Victoria as a percentage of Australian Total	17.6%	16.3%	18.4%	18.4%	18.6%
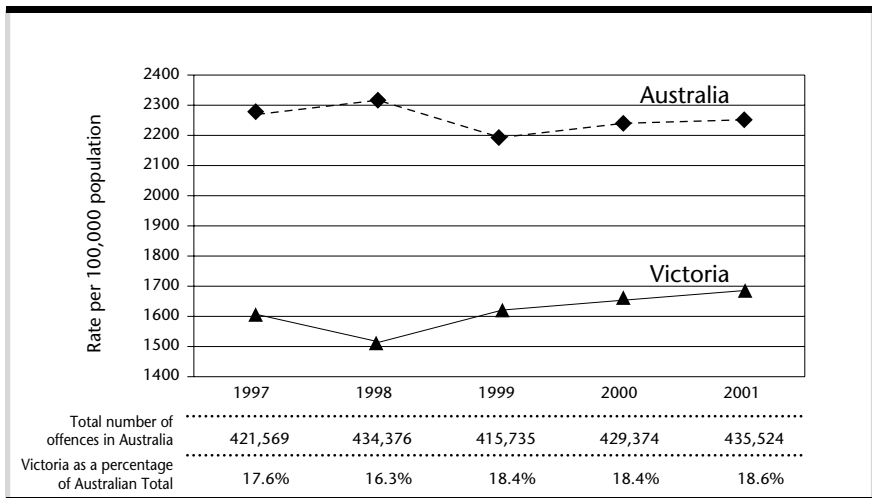
Source: ABS 2002, *Recorded Crime, Australia 2001*, ABS, Canberra.

Motor Vehicle Theft

This is the only category in which Victoria's crime rate is higher than the Australian rate, as has been the case for the last two years in the period. In 2001 Victoria's motor vehicle theft rate stood at 814.4 compared with Australia's rate of 722.

The Drugs and Crime Prevention Committee recently published a report on the issue of motor vehicle theft which provides a detailed analysis of patterns of motor vehicle theft in Victoria and suggests reasons for the recent increases.

Figure 2.7: Motor vehicle theft rates (per 100,000 population), 1997–2001

	1997	1998	1999	2000	2001
Total number of offences in Australia	130,138	131,587	129,552	138,912	139,943
Victoria as a percentage of Australian Total	23.4%	22.5%	24.6%	26.3%	28.1%
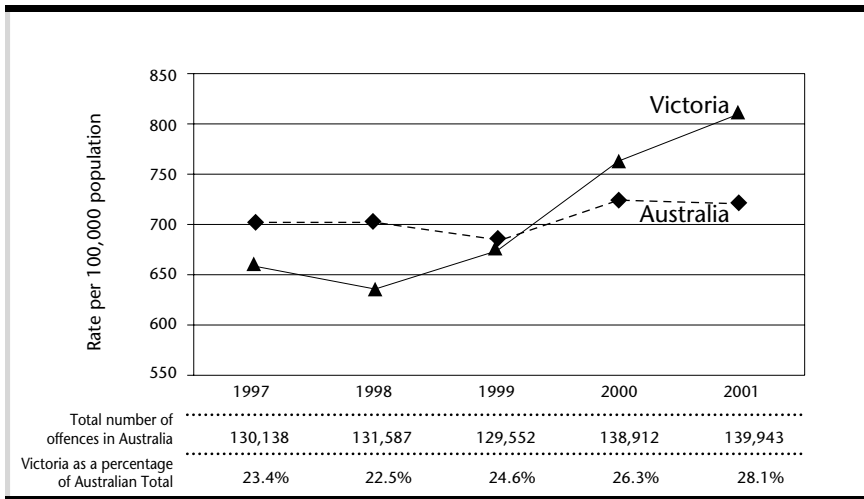
Source: ABS 2002, *Recorded Crime, Australia 2001*, ABS, Canberra.

Other Theft

This category includes all reported thefts of any property other than motor vehicles. Numerically it forms the largest category of all reported offences. In 2001 it comprised 48% of all reported offences in Australia, and 51% of all reported offences in Victoria. As mentioned earlier, these thefts have great impact on any jurisdiction's total crime rate.

Once again, Victoria's rate has mirrored the Australian trend, although its proportion of Australia's thefts has been steadily dropping over the five-year period (from 22.6% in 1997 to 21.5% in 2001).

Figure 2.8: Rates of other theft (per 100,000 population), 1997–2001

	1997	1998	1999	2000	2001
Total number of offences in Australia	530,881	563,482	612,559	681,268	699,262
Victoria as a percentage of Australian Total	22.6%	22.3%	22.1%	21.7%	21.5%
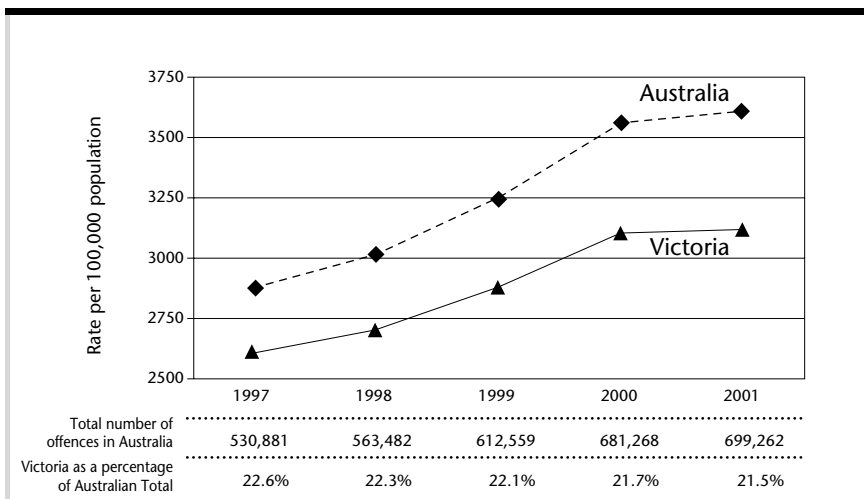
Source: ABS 2002, *Recorded Crime, Australia 2001*, ABS, Canberra.

Weapon use In crime – new data

A change introduced in the 2001 national crime statistics was the publication of detailed data about weapons used in offences. For the first time it is possible to separately identify knives, syringes and other non-firearm weapons. These new data show that for robbery offences Victoria has a low proportion of robberies where no weapon is used, and a high proportion of robberies where a knife is used as a weapon compared with other Australian jurisdictions. It is useful to note that this pattern of high rates of robberies where a knife is involved occurs after a sustained increase in both the rate of robbery in Victoria and the ratio of armed to unarmed robberies.

Figure 2.9: Weapon use in robbery crimes: Australian States and Territories, 2001
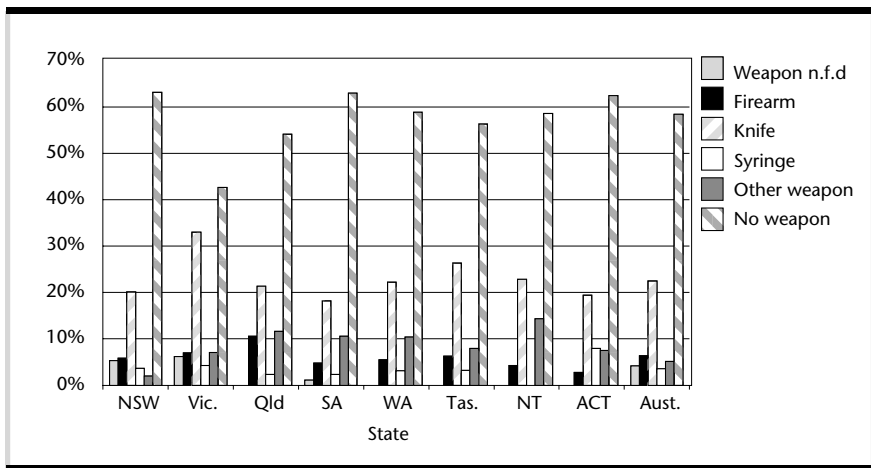
Source: ABS 2002, *Recorded Crime, Australia 2001*, ABS, Canberra.
Note: Weapon n.f.d. refers to crimes where a weapon was present but no information is available about the type of weapon.

Conclusion

The above analysis clearly shows that Victoria continues to have low crime rates compared with Australia as a whole. This is true for all ABS offence categories except motor vehicle theft, and that offence category has only exceeded the Australian rate in the last two years. In short, Victoria's contribution to the incidence of crime in Australia has remained relatively stable over the five-year period under examination.

3. Methodological Issues with Analysing Spatial Crime Data

Introduction

On 15th May 2002 the Committee was directed to extend the scope of its inquiry into crime by examining the spatial distribution of crime in Victoria. The Terms of Reference for this inquiry were:

> To inquire into, consider and report on the following:
>
> (a) The incidence of crime according to municipal districts for the year ended 30 June 2002, compared with the previous four financial years, and to report to Parliament by the final sitting day of the Spring 2002 session as part of its 6 monthly report upon crime trends; and
>
> (b) The report to include a breakdown of offences according to municipal district by crimes against persons, crimes against property, drug offences and other offences.

Both the level and nature of crime tend to vary greatly across different areas, and the analysis of spatial crime data is an increasingly important method for understanding and responding to crime. To date, police crime statistics in Victoria have only been publicly available as state-wide statistics or as total counts of all crime aggregated by postcodes, or grouped according to police administrative regions. None of these ways of presenting area-level crime data is satisfactory, and in its Fourth Report of the Inquiry into Crime Trends the Parliamentary Drugs and Crime Prevention Committee drew attention to this important deficiency in Victorian crime information.

In the last year, Victoria Police have made available through their website crime statistics showing counts and rates of four major categories of crime broken down by Local Government Areas (LGAs). However, as with any form of crime data there are some complex methodological and interpretative issues that need to be addressed if people are to be able to use this data correctly. This chapter examines some of these issues.

Interpretative issues for spatial crime data can be grouped into three categories:

1.   Issues about how crime is defined and counted;

2.   Issues about how small area crime rates are calculated; and

3.   Issues about how spatial boundaries are defined.

Previous reports by the Committee have provided an extensive analysis of definitional and counting issues for crime.[4]

Calculating small area crime rates

The accepted procedure for calculating a crime rate for any jurisdiction or area is to divide the number of offences reported for that jurisdiction or area by their resident populations. Crime rates are usually expressed as the number of offences for each 100,000 persons in the community.

One difficulty with small area crime rates is that resident population statistics are only determined accurately at each five-yearly census conducted by the Australian Bureau of Statistics. Between censuses, population statistics are estimated using a complex formula that includes the statistics on birth and deaths, and estimates of population movements. The extent of population movement is a critical variable, and where these rates are high (for example, in metropolitan fringe areas with high rates of housing construction) these estimates can involve significant error.

A different problem arises for central city areas, which regularly host large numbers of people far in excess of their resident population. City areas usually have high crime rates because crime rates are calculated on the basis of total residents rather than the number of persons frequenting the area. However, a Central Business District is a location where there is a continuing high level of non-resident activity – both criminal and law-abiding. The Committee's third report *Reporting Crime in the Melbourne CBD* showed that annually around 5% of the State's offences occurred in the CBD. However, the 2001 census reports that only 1.08% of the State's population lives in the whole of the City of Melbourne. One interesting feature of LGA crime rates for Victoria is that, even if the total number of crimes in the CBD stays the same, the growth in CBD accommodation will mean that the Melbourne CBD crime rate will fall.

There are other locations that also have high transient populations relative to their resident populations. They include tourist or holiday destinations, large sporting venues, local transport hubs, and shopping malls. A seaside resort could reasonably be expected to have a higher crime rate over summer compared with the rest of the year.

The impact of these population-related issues varies with the size of the area of interest, with greater impact on areas that have smaller populations.

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4   See pages 7 to 12 of the Committee's 1st Report (*Benchmarking Crime Trend Data* 1995/1996 to 1999/2000) and Part B of the Committee's Fourth Report for a full analysis of these issues.

Population estimates at State or Statistical Divisional level[5] have generally low rates of error and issues of transient populations are likely to be of little significance in relation to crime patterns. Conversely, population issues are much more likely to have a significant effect on crime rates at Local Government Area or Statistical Local Area level. A general problem that applies to Local Government Area crime rates is that these population issues will be more severe for LGAs outside the metropolitan area where populations are much smaller. It should be noted that local area crime statistics published by the New South Wales Bureau of Crime Statistics and Research use Local Government Area as the area unit in the metropolitan area, but Statistical Sub-Divisions (several LGAs combined) for non-metropolitan areas.

A further interpretative consideration is that, where the population of any area is small, a slight increase in the number of crimes can bring about a large change in the crime rate. For instance the Borough of Queenscliffe had a population of 3,273 in the 2001 census, so one additional reported offence in Queenscliffe adds 30.5 to their total crime rate. By contrast, the City of Manningham' census population of 113,894 means that one more reported offence there increases their total crime rate by only 0.88.

Specifying spatial boundaries

In order to address the Terms of Reference for this Inquiry, the Committee sought from the Victoria Police five years of crime data incorporating information about the Local Government Area in which the crime occurred. The Committee was advised by Victoria Police that prior to the 2000/2001 year, the only locational data available from crime reports was the Police Region and Sub-Region, and the Postcode where the offence occurred. Crime statistics for the 2000/2001 year are available with LGA information. Victoria Police provided the Committee with crime statistics incorporating Postcode area data for 27 offence groups for the five years 1996/1997 to 2000/2001, together with LGA-coded data for the 2000/2001 year.

The Committee's Terms of Reference require a longitudinal trend analysis of crime rates for each LGA. The only way to carry out any trend analysis on area-based crime data in Victoria using data currently available is by using the Postcode data. However, the use of Postcode areas as a geographic identifier involves several important limitations. Postcodes areas are not a stable area basis for analysis. Postcode boundaries and even whole Postcodes change over time – some disappear, new Postcodes are introduced, and some are slightly changed to facilitate postal deliveries. As a result, any trend analysis based on Postcode area data inevitably involves discontinuities arising from the change in Postcode boundaries.

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5   The basis for classifying areas used in this report is the Local Government Area Structure in the ABS Australian Standard Geographical Classification. The hierarchy of area types of interest is State, Statistical Division, Statistical Sub-Division, Local Government Area and Statistical Local Area.

A greater problem is that there are no readily obtainable population statistics for Postcode areas, and without population statistics, crime rates cannot be calculated. Population statistics are available from the ABS and the Victorian Department of Infrastructure (DOI) for Statistical Local Areas (SLAs) and LGAs. What is required, therefore, is a way of translating Postcode crime data into LGA crime data.

The relationship between postcodes and LGAs is complex and there is no simple way of grouping Postcodes into SLAs and LGAs. The map in Figure 3.1 provides an illustration of this point. Postcodes 3011, 3146 and 3148 can all be seen to straddle multiple LGAs (and therefore SLAs too). From a population point of view, Postcode 3011 is not too great a problem as the eastern part of it, in the City of Melbourne, comprises the Footscray Market and docks area where there is little population. However, Postcodes 3146 and 3148 encompass suburban housing (and resident populations) on each side of the LGA boundaries. In fact the City of Stonnington comprises four whole postcodes and parts of four others.

Figure 3.1: Example of overlap of postcode and LGA boundaries
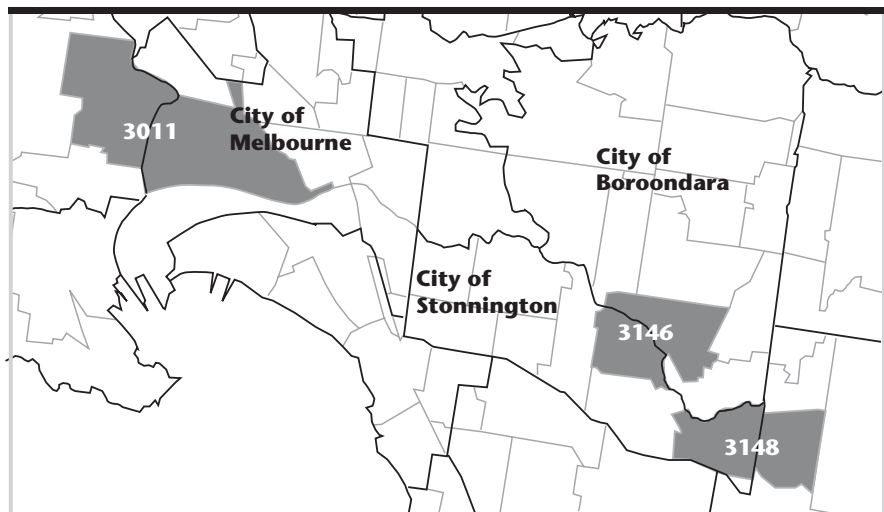
The ABS has developed a concordance between Postcodes and SLAs. (ABS Cat 1253.0), although strictly speaking it is based on the ABS' own Postal Areas which are very close to, but not exactly equal to, Postcode areas. The concordance was developed by individually allocating all of the 2001 census Collectors' Districts into a Postcode area. Collector Districts are the lowest level in the ABS Geographical Classification and all higher level areas comprise aggregations of Collector Districts. The resulting relationships are complex. For instance:

◆   the population of the Statistical Local Area of Bayside South is comprised of:

100% of postcode 3169

plus 31% of postcode 3170

plus 71% of postcode 3171

plus 100% of postcode 3172

plus 14% of postcode 3173

plus 100% of postcode 3174

◆   conversely the population of Postcode 3032 is distributed:

24.54% to the Maribyrnong SLA

4.22% to the Melbourne (C) – Remainder SLA, and

71.24% to the Moonee Valley (C) – Essendon SLA.

Using the ABS concordance it is possible to assign the reported offences for Postcode areas to an LGA (or SLA). The process entails the assumption that offending is distributed across a Postcode area in precisely the same way that population was in the 2001 census. Intuitively that will not be true for all parts of Melbourne, yet the use of the ABS concordance in this way is the only sound method to distribute the crime statistics provided to the Committee into LGAs.

It is therefore possible to calculate crime rates for Victorian LGAs for the five-year period from 1996/1997 to 2000/2001. The component parts of the calculated rates are:

◆   *Number of offences in the LGA*, which is generated from the postcode-based data for the 2000/2001 year provided by the Victoria Police, converted to LGA-based data using the ABS 2001 concordance, and

◆   *The population of the LGA*, which for 2000/2001 is the result of the 2001 census, and for the years before that, the estimated population figures at the end of each financial year using estimates from the Victorian DOI.

Comparison between calculated and Victoria Police crime rates for LGAs

A way to check on the accuracy of this process is to compare the LGA crime rates calculated using Postcode data and the ABS concordance with the LGA crime rates for 2000/2001 provided directly by the Victoria Police. For a full tabulation of the Victoria Police and Postcode-calculated LGS crime rates, see Appendix 2.

The total number of offences in the Victoria Police LGA report is 451,451 but the total number of 2000/2001 offences in the Postcode-based data provided to the Committee is 453,575. Removing the 246 offences for which no postcode location was provided, and the five on French Island which is not part of an LGA, leaves a sample size of 453,324. There are thus an additional 2,873 offences in the data used in this Report. This difference may have arisen because the Postcode data was extracted from the police crime database (LEAP) at a later date than the material published by Victoria Police on their website.

A footnote to the Victoria Police LGA report states that rates were calculated using ABS 'population figures as at 30 June 2000' and a Victorian population of 4,765,856 was used. In this Report, population figures at the end of each financial year were used to calculate the rates. The 2001 ABS census results give the Victorian population at 30 June 2001 as 4,822,564, a figure 1.2% higher than that used by the Victoria Police. A higher population generates a lower crime rate and that is the situation here with the current data providing a Victorian total crime rate of 9,405.3 per 100,000 compared with a rate of 9,472.6 in the Victoria Police LGA report.

As noted above, the calculation to translate Postcode data into LGA data assumes that crime is distributed in the same way as population, and this assumption may well be incorrect. However, the identification of the LGA by the police may also be a source of variation.

Victoria Police LGA data is derived from the 'respond zone' of the offence and not recorded directly. The Committee was advised that police members note a "respond zone" on a crime report, that being the name of the local suburb or town where the offence occurred. In addition, the reporting member identifies the Postcode where the crime occurs. The Victoria Police did provide the Committee with a copy of their own concordance that allocates postcodes to LGAs. The Victoria Police do not appear to use this concordance in the calculation of any area-based statistics. Nevertheless, the Victoria Police concordance varies significantly from the ABS concordance, and some of these variations appear to be related to the differences between calculated and Victoria Police LGA crime rates. Table 3.2 examines three of the ten LGAs in which discrepancies of over 10% were found between the Victoria Police rates and those calculated for this Report.

Table 3.2: Comparison of Victoria Police and ABS concordances

LGA/discrepancy	Postcodes	Victoria Police	ABS
Corangamite	3237	All	None (in Colac LGA)
	3239	All	None (in Colac LGA)
VP rate 13.9% higher	3249	All	None (in Colac LGA)
	3260	Part	All
	3264	All	Part (83%)
	3265	Part	Part (24%)
	3266	Part	All
	3267	All	All
	3268	Part	Part (79%)
	3269	All	All
	3323	All	All
	3324	All	All
	3325	Part	All
	3361	Part	All
Stonnington	3141	All	Part (74%)
	3142	All	All
VP rate 10.9% higher	3143	All	All
	3144	Part	All
	3145	Part	Part (96%)
	3146	All	Part (42%)
	3148	All	Part (45%)
	3181	All	Part (91%)
	3088	None (all in Banyule)	Part (21%)
Nillumbik	3089	All	Part (96%)
	3090	None (all in Banyule)	All
VP rate 16.9% lower	3091	None (all in Banyule)	All
	3095	All	Part (92%)
	3096	All	All
	3097	All	All
	3099	Part	All
	3113	None (all in Manningham)	Part (32%)
	3134	Part	None (most in Maroondah)
	3759	All	All
	3760	All	All
	3761	All	All
	3770	None (all in Yarra Ranges)	Part (15%)

Where the police rates are higher, it seems that their concordance has included more Postcode areas (or parts of them) in the LGA. That puts more offences into the LGA and produces a higher rate. Conversely, in the example where the police rate is far lower, it is apparent that some Postcodes that should have contributed to the LGA's offence count have been excluded, and that leads to a lower rate.

Conclusions

The analysis presented above illustrates some of the methodological and interpretive issues that apply to the area-based crime rates. The Committee draws a number of conclusions from this analysis. The first is that, on the basis of crime data currently available, it is not possible to report on trends in crime (either as total crime or broken down by type of crime) at LGA level in Victoria for the period 1996/1997 to 2000/2001. Any such analysis would incorporate so much variability arising from changes in Postcode boundaries and the uncertainty of estimating the incidence of crime in LGAs from Postcode data as to be seriously misleading. Neither would the use of a single year of data provide a basis for sound analysis.

The second conclusion is that if Victoria is to have accurate and reliable area-level data there must be agreement on the processes for determining crime location and area population. At present there is sufficient uncertainty about these processes that users beginning with notionally the same set of crime data might reach substantially different conclusions about the distribution of crime within the State. In particular, there needs to be a clearly understood process for assigning a location to crimes that is not dependent on Postcodes.

A third conclusion is that any presentation of crime rate data at LGA level needs to take into account the inherent differences in LGA populations. It may be the case that meaningful LGA-level data will never be achievable in non-metropolitan areas, and that such data should only be presented at Statistical Subdivision level. It may also be appropriate to avoid the use of exact numerical rates and focus on the relative differences in crime rates between areas. This is the approach that will be followed in the remainder of the Report.

4. Crime Rate Characteristics of Victorian Local Government Areas

Crime rate indicators

In the previous chapter it was concluded that it is not possible to use the available Victorian crime rate data to examine trends or differences in crime rates between Local Government Areas (LGAs). Nevertheless, provided appropriate account is taken of the limitations of the available data, it is possible to examine some of the general features of the distribution of crime across Victoria. This chapter considers some questions about the distribution of crime in the State, including:

* How much difference is there between low crime rate and high crime rate areas?

* What is the best 'central tendency' measure for area crime rate measures?

* How much do crime rates in the city and the country differ from one another?

These questions all bear on the general issue of how we can most appropriately describe the variation in crime across the State. In the previous chapter it was proposed that analysis is valid when it focuses on the relative differences between areas. In this chapter a method for analysing the relative differences between crime rates is proposed, and this method is then applied to the LGA crime rates supplied by Victoria Police and the LGA crime rates calculated from Postcode data. The maps of these two data series serve to illustrate some of the differences inherent in these data.

The distribution of crime rates

Crime rates were calculated for each of the 78 LGAs (and the 196 Statistical Local Areas) in Victoria, for each of the five years under review, using the data described in Chapter 3. The crime rate was calculated as the number of offences occurring within an LGA divided by the population of that LGA. The number of offences attributed to all LGAs results from using the ABS concordance to convert Postcode data to LGA data. Population figures are estimates from the

Department of Infrastructure for earlier years and the census results for 2000/2001.

Table 4.1 shows a range of crime rate measures for Victoria over the five years, including the average rate for all LGAs in the State, the median LGA rate, the maximum LGA rate and the minimum LGA rate. For simplicity, all rates are rounded to the nearest 100 per 100,000. Note that the State's total crime rate of around 9,000 per 100,000 population for the last five years is higher than the ABS rates presented in Chapter 2 of this Report. That occurs because the ABS rate is calculated for only a selection of all recorded offences (as discussed in Chapter 1).

**Table 4.1: Victoria's total crime rates (per 100,000 population)**

	1996/97	1997/98	1998/99	1999/2000	2000/2001
Victoria - Average	8,900	9,100	9,300	9,300	9,400
Victoria - Median	6,900	6,900	7,100	7,000	7,200
Victoria - Maximum	84,700	88,000	100,100	101,000	84,500
	(Melbourne)	(Melbourne)	(Melbourne)	(Melbourne)	(Melbourne)
Victoria - Minimum	2,500	2,900	2,400	1,900	2,300
	(Buloke)	(West Wimmera)	(West Wimmera)	(West Wimmera)	(West Wimmera)

Table 4.1 shows that the range of LGA rates over the five years is very broad, ranging from a minimum of between 1,900 and 2,900 in the country to a maximum of between 84,500 and 101,000 in the City of Melbourne. However, it is also clear that the maximum and minimum crime rates show a great deal of variation from year to year, while the average and median rates show little variation. The difference between the lowest and highest crime rates is very large. In every year the crime rate in the City of Melbourne is between 30 and 50 times higher than the LGA that has the lowest crime rate. As was noted in the previous chapter, the high crime rate in the City of Melbourne is attributable to its very low resident population and very high transient population.

This 'activity center' effect on crime is not confined to the City of Melbourne but spills over into surrounding areas as well. Figure 4.1 shows the distribution of total crime rates across Victoria's 78 LGAs for the year 2000/2001. It can be seen that a small number of LGAs have relatively high rates compared with all other LGAs, and these LGAs all cluster around central Melbourne.

The distribution of crime rates in Figure 4.1 is known as a 'skewed distribution' because it has a small number of very high values and a much larger number of low values. One consequence of this skewed distribution of crime rate values is that the average LGA rate for the State is not a good representative measure of Victoria's LGA crime rate, as it falls about two-thirds of the way along the distribution. A far better 'central tendency' measure for this distribution of crime rates is provided by the median. This is the measure that divides the distribution so that half the values fall above and half below.

Figure 4.1: Distribution of Victorian LGA crime rates for 2000/2001
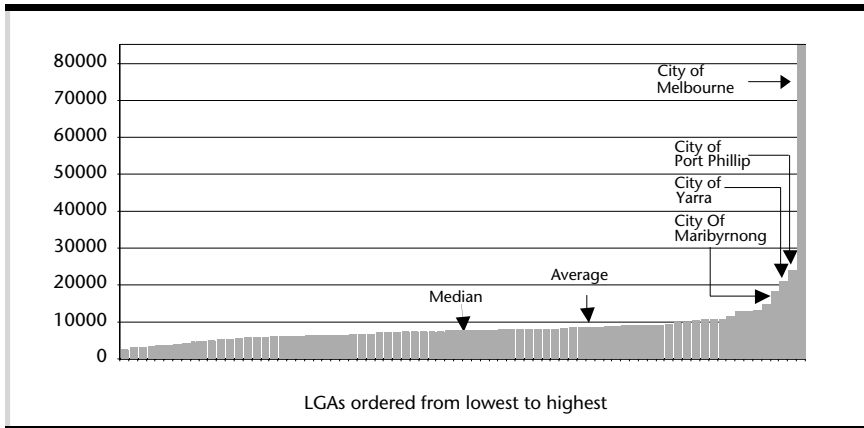
City and country crime rates

It is commonly assumed that country areas have lower crime rates than city areas. In Figure 4.2 the distribution of crime rates in 27 LGAs within the Melbourne Statistical Division for the 2001 census and the 47 LGAs outside the Melbourne Statistical Division are shown separately. These will be referred to as the 'metropolitan' and the 'country' samples from now on. The four metropolitan LGAs with the highest crime rates have been excluded in order to show crime rates on a more meaningful scale, and to avoid the 'activity centre' problem.

It is clear from Figure 4.2 that there is actually a great deal of overlap between city and country crime rates. While both the average and median crime rates are higher in the city than the country, many country LGAs have crime rates that are as high as, or higher than, some metropolitan LGAs.

Figure 4.2: Distribution of 2000/2001 crime rates for 27 metropolitan and 47 country LGAs
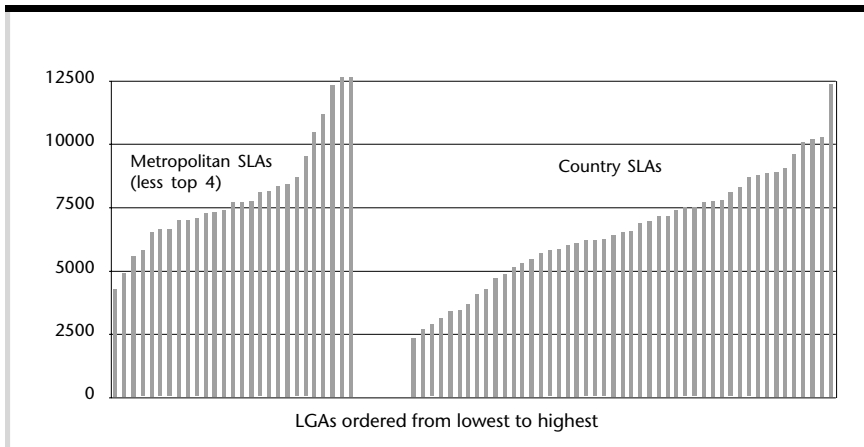
Mapping LGA crime rates

The most common way to use area crime rate data is by mapping. In order to make crime maps readable it is common practice to group crime rates into categories. Maps with a large number of categories can show more detail but are inherently harder to read. The remainder of this chapter shows how Victorian crime rate data can be mapped on a five category scale from 'very high', 'high', 'average', 'low', to 'very low'. The maps included here show city and country crime rates mapped separately, and contrast the maps derived from the LGA crime rates calculated from Postcode data with the LGA data provided directly by Victoria Police.

It is stressed that all of the qualifications relating to Victorian area crime data discussed in the previous chapter apply to these maps. They are provided here to illustrate how crime rate data can be presented and do not constitute any definitive description of crime in Victoria.

The data used for this mapping was total crime rates for the 2000/2001 year. In order to group the LGAs, they were first ranked from highest to lowest and then split into five equal groups. Then the ranking was inspected to see if there were logical breaks in the ranking that would keep LGAs with similar rates together. If so, like LGAs would be grouped, meaning that there would not necessarily be equal numbers in each group.

As an example, six LGAs which were ranked: 4000, 3900, 3800, 3700, 3300 and 3200, would originally be split into two equal groups: 4000, 3900 and 3800 in one group, and 3700, 3300 and 3200 in the second group. Inspection of these groups would show that 3700 had more in common with the first group than the second, and accordingly the groups used for mapping would be 4000, 3900, 3800 and 3700 in one group, and 3300 and 3200 in the other.

The maps of the 2000/2001 total crime rates for the metropolitan and country regions are presented here in order to provide a sense of the general patterns of the way crime varies across Victoria. Inspection of Figure 4.3 shows that the general distribution of crime for 2000/2001 across the metropolitan area is quite pronounced – it is highest in inner Melbourne, the inner West and the South East. That general finding is also true when Victoria Police LGA data are mapped using the map grouping methodology described above (see Figure 4.4). However, while one LGA (Bayside) drops from low to very low when the police rates are used, another seven LGAs move up a group, giving a crime 'picture' for 2000/2001 that looks worse than that resulting from the calculated rates for the Report.

Figure 4.5 illustrates the crime rate distribution across country regions. It should be noted that the rate boundaries in the country maps are not identical to the rate boundaries for the city maps. Country LGAs in the 'Very High' category in the country have substantially lower crime rates than city LGA's in the 'Very High' category.

Figure 4.6 maps Victoria Police crime rates for the country and the broad pattern is the same as that shown on Figure 4.5, even though one LGA (North Grampians) drops from 'Very High' to 'High' with the police data. Here again, another five LGAs move up a group when the police rates are used, but overall that does not change the broad pattern.

These maps illustrate the variations that arise from different approaches to area crime rate calculation and support the Committee's decision to not provide numerical rates for all Victorian LGAs.

Figure 4.3: Total crime – metropolitan crime rates, 2000/2001, LGA rates calculated from Victoria Police postcode data
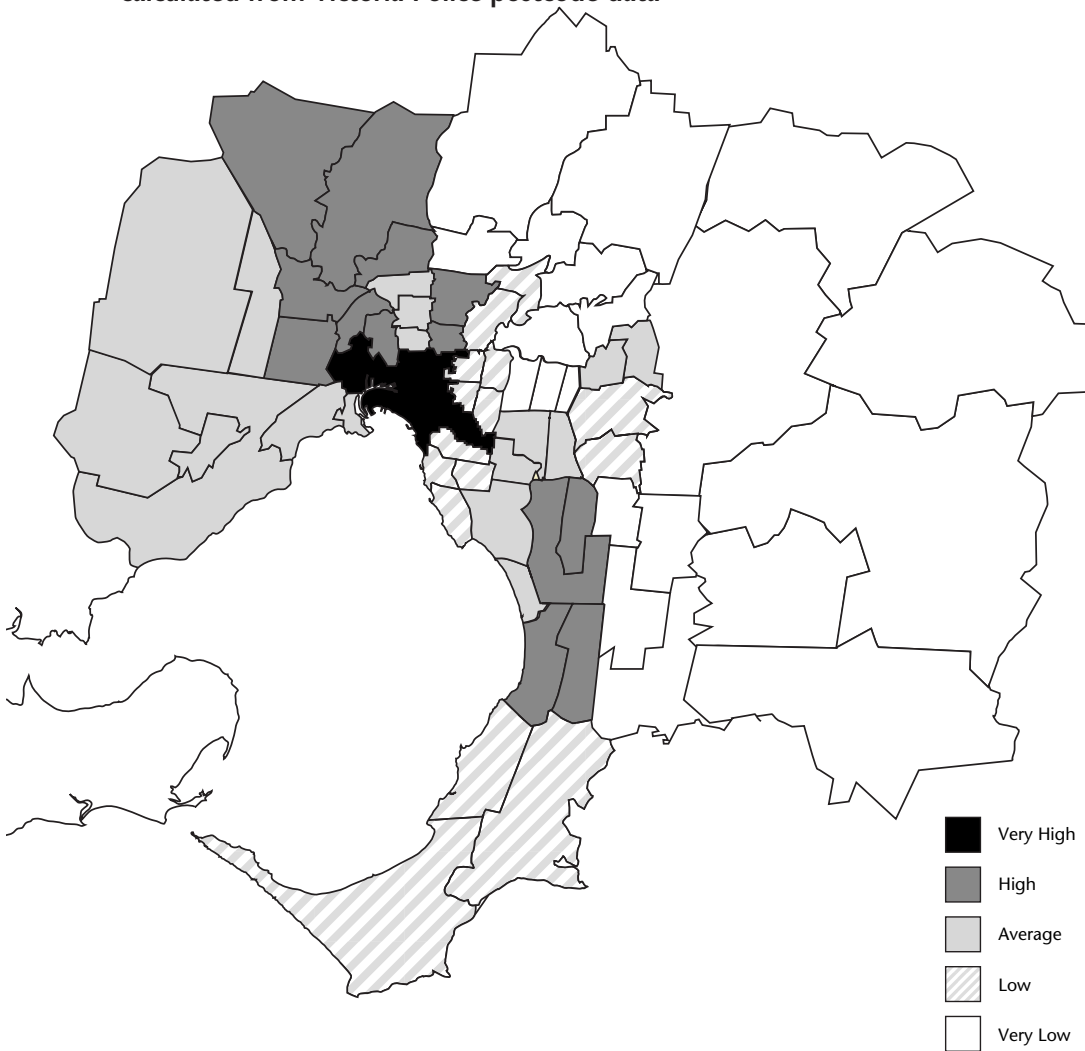
Note: 1: This map is delineated by SLA boundaries but the data has been plotted according to LGA. By way of example the Mornington Peninsula is one Shire which is overall rated 'low' and appears on the map as three sections which are the three SLAs that make up the total Shire.

Note 2: These maps have been provided to illustrate how area-based crime data can be used to show variations in crime rates across the State and should not be taken as a definitive description of the distribution of crime in Victoria.

Figure 4.4: Total crime – metropolitan crime rates, 2000/2001, Victoria Police LGA data
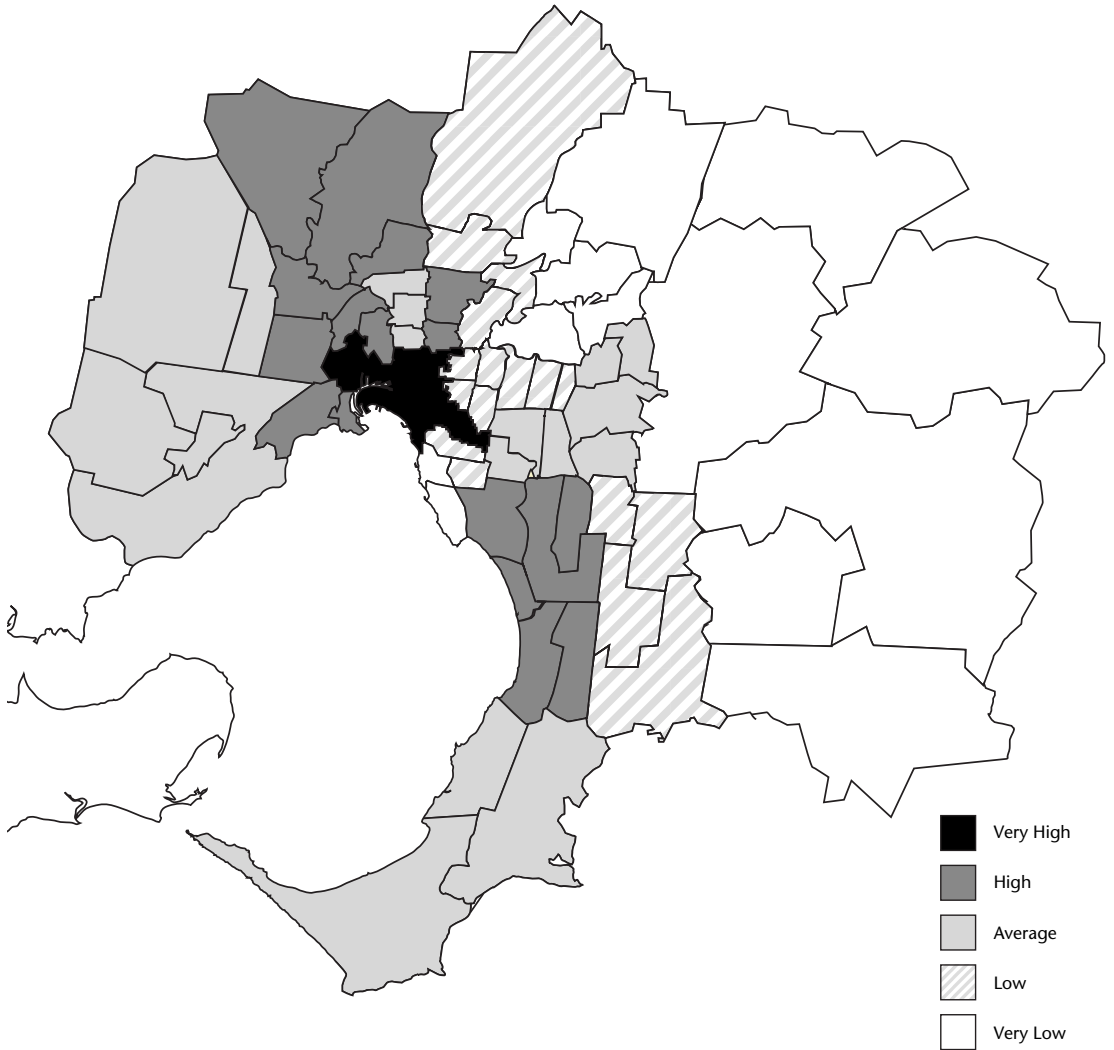
Legend:
- Very High
- High
- Average
- Low
- Very Low

Note 1: These maps have been provided to illustrate how area-based crime data can be used to show variations in crime rates across the State and should not be taken as a definitive description of the distribution of crime in Victoria.

Figure 4.5: Total crime – country crime rates, 2000/2001, LGA rates calculated from Victoria Police postcode data
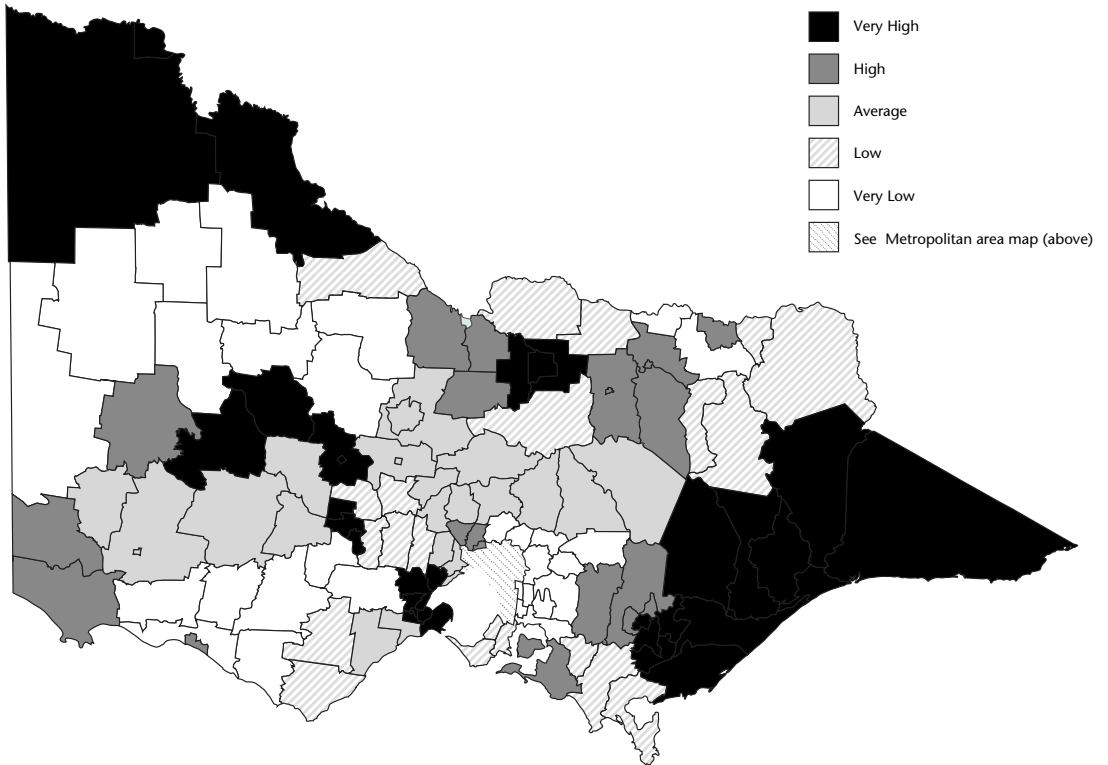
Note 1: This map is delineated by SLA boundaries but the data has been plotted according to LGA.

Note 2: These maps have been provided to illustrate how area-based crime data can be used to show variations in crime rates across the State and should not be taken as a definitive description of the distribution of crime in Victoria.

Figure 4.6: Total crime – country crime rates, 2000/2001, Victoria Police LGA data
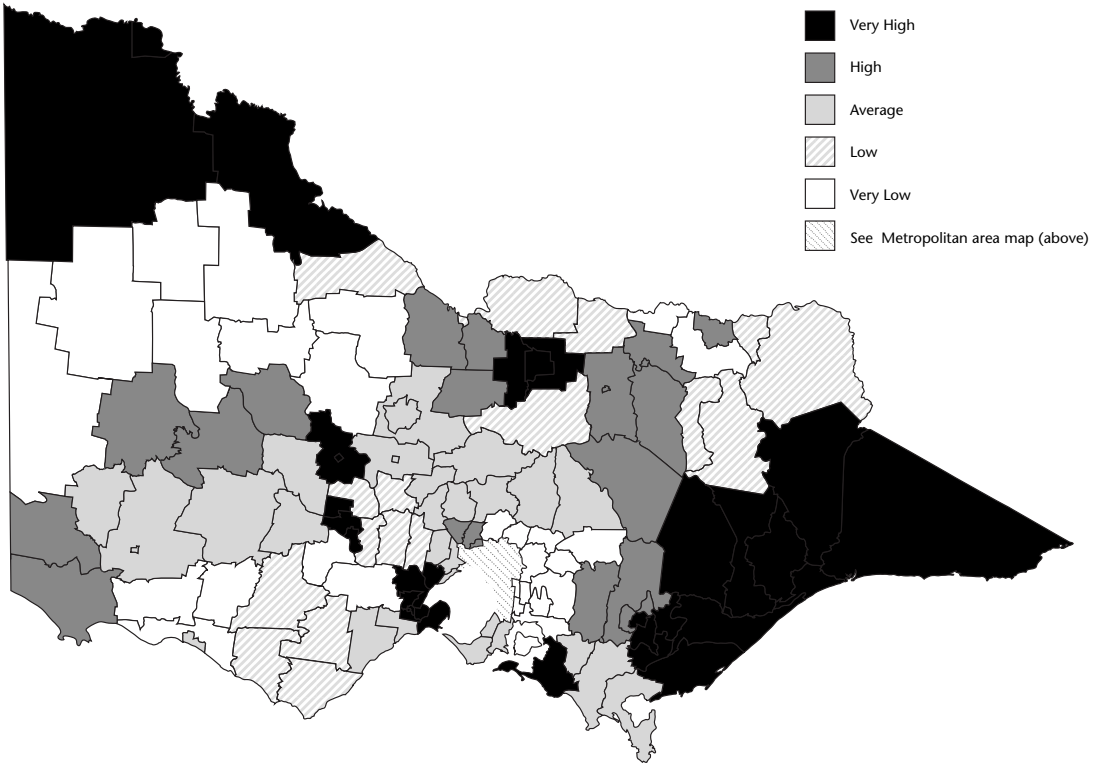
Note 1: These maps have been provided to illustrate how area-based crime data can be used to show variations in crime rates across the State and should not be taken as a definitive description of the distribution of crime in Victoria.

Conclusion

These maps have been provided to illustrate how area-based crime data can be used to show variations in crime rates across the State. However, the Committee cautions that more work needs to be done on the procedures for analysing crime data before this kind of exercise should be undertaken on a wide scale.

5. The AIC Review of Victoria Police Crime Statistics

Background to the AIC Review

The primary source of information about crime in Victoria is the crime statistics issued annually by Victoria Police. Any assessment of the adequacy of crime information in Victoria must include an assessment of the accuracy and usefulness of these police crime statistics. In early 2001, following concerns about the LEAP database and the accuracy of Victorian crime statistics raised by the print media, the Committee and a range of other organisations, the Chief Commissioner of the Victoria Police asked the Australian Institute of Criminology (AIC) to conduct a review of Victoria Police crime statistics. The terms of reference of the review were to assess:

1. the processes by which Victoria Police crime counting rules and classifications are applied to crime allegations;

2. the data quality and monitoring mechanisms for crime statistics and clearing data;

3. the methods and practices in relation to the recording and inclusion of crime data onto the Law Enforcement Assistance Program (LEAP) database;[6]

4. the reliability and veracity of the compilation of Victoria Police statistics; and

5. the analytical programs and tools used to generate crime data.

The AIC report was submitted to the Victoria Police in July 2002 and its contents were released in October 2002. This chapter looks at the findings and recommendations of the AIC review, and considers whether the findings of the review satisfactorily address the full range of concerns raised about Victoria Police statistics.

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6   The LEAP database records information about criminal incidents and the attributes of those incidents. Police members fill out paper-based forms which are then faxed to the Central Data Entry Bureau where they are entered onto LEAP. LEAP was originally designed as an intelligence system rather than a statistical reporting system.

Issues and concerns about crime statistics in Victoria

The AIC review took place in the context of a range of concerns about crime statistics in Victoria, and specifically the role of Victoria Police in collecting and disseminating crime statistics. Some of these are the same general concerns that apply to crime statistics everywhere. Some were concerns raised by the Drugs and Crime Prevention Committee in the course of its inquiries into crime trends and related issues. Other concerns have been raised in the print media or by the Victoria Police themselves. Victoria has a low recorded crime rate relative to the rest of Australia. This has rightly been a source of pride to the Victorian community, Victoria Police and governments. However, it is important to know that this low crime rate is a genuine reflection of a low rate of criminal activity in the State rather than merely inadequacies in the way that crime statistics are collected and processed.

In 1998 and again in 2001 reports appeared in the Victorian print media that an internal Victoria Police review, prepared under the Service Improvement Program, had found that a significant proportion of crime incidents coming to the attention of police were never recorded on the LEAP system (*Herald-Sun* 22 November 1998, p. 1 & 18 February, 2001, pp. 2–3). It was alleged that this shortfall was the result of inadequacies in the LEAP computer system and centralised data entry systems. These reports provoked a vigorous debate, with Victoria Police strenuously defending the quality of their statistical processes and the LEAP system.

In September 2001, the Chief Commissioner of Victoria Police acknowledged the limitations of the LEAP database as a source of crime statistics:

> I have had various briefings on the LEAP system and I think it is an incredibly complex mainframe database of its time. It is also a system that was put in place not necessarily to be able to produce accurate statistics or data. It was more a recording system so that one had the facility to record information about crime reports. The focus on crime reports in my experience in policing has in some ways only been significant over the last 10 years, and of course LEAP is older than that. The point is that it was not necessarily designed to produce the sort of information that we are now looking for it to produce on a daily basis so that in terms of operational policing you can regularly know what the figures look like in your own area of responsibility.
>
> It does what in a sense it was intended to do, but it does not do what many of us want it to do. That is part of the problem. The initial entry by handwritten report is a system that should have been out of date 10 years ago. You might want to ask why it is not out of date now. The fact is that no money has been spent in looking to introduce a system where you can have direct entry and a more efficient locally based system. I think technology within Victoria Police has lagged behind. (Chief Commissioner Nixon, in conversation with the Drugs and Crime Prevention Committee, 11 September 2001).

The Committee has raised these issues in earlier reports. In its *Second Report for the Inquiry into Crime Trends* the Committee noted that it:

> … considers that the Victoria Police Law Enforcement Assistance Program (LEAP) information management system has serious problems. The Committee has received both direct and anecdotal evidence that LEAP does not adequately record crime reports taken by Victoria Police members (Drugs and Crime Prevention Committee 2001a, p. 20).

Later in the same report the Committee noted that:

> Victoria Police are required to hand-write crime reports and fax them to the Central Data Entry Bureau, where they are manually entered onto LEAP by public service staff. The Committee is concerned that this system presents numerous potential sources of error. (Drugs and Crime Prevention Committee 2001a, p.20).

In its third report, *Reporting Crime in the Melbourne Central Business District*, the Committee raised a further concern regarding its experience of

> … a certain degree of reluctance on the part of Victoria Police to release up to date crime statistics (Drugs and Crime Prevention Committee 2001b, p.72).

A general principle of the operation of any complex system is that it should be the subject of regular critical audits to ensure that it is operating effectively and efficiently. The AIC review fulfills the functions of this kind of audit process. However, the AIC review also needs to be seen as an opportunity to provide answers to the criticisms and concerns voiced about the LEAP system specifically and the Victoria Police crime statistics generally. The Committee gave its full support to the review when it was first announced and has been anxious to see its findings.

AIC Review process and main findings and recommendations

The review undertaken by the AIC involved a range of investigative processes, including:

◆ Observational studies of data entry processes at the Central Data Entry Bureau and the recording of LEAP forms at city and regional police stations;

◆ An analysis of a random sample of LEAP records, and the running sheets associated with the LEAP records;

◆ A comparison of crime counts from the random sample of LEAP records with full enumerations from the Statistical Services Branch of Victoria Police;

◆ An analysis of members' decisions about crime recording using a scenario-based methodology.

The major findings from the report were:

1. The crime statistics published by Victoria Police accurately reflect the counting rules and crime classifications that are applied to those 'matters' recorded as crimes in the LEAP database.

2. The current policy for recording crime allows a degree of discretion by members to record crime either using a 'prima facie' or an 'evidential' model. Given this discretion, there is inconsistency in the way in which particular crimes are recorded.[7]

3. There was a minor discrepancy between the numbers of crimes that may have taken place and the numbers of crimes recorded by members. Based on the research, it is not possible to state conclusively whether this is the full extent of the discrepancy.

4. The policies and procedures for the quality assurance of the data recorded in the LEAP database are effective and the level of error in the records used to produce the crime statistics is negligible. However, there is room for improvement of the current situation via the design and implementation of a system of statistical quality control.

5. Victoria Police meets national standards in the provision of data to the Australian Bureau of Statistics (ABS). However, there are differences between the crime counts derived from Victoria Police data and those published by the Australian Bureau of Statistics. Victoria Police produce statistics primarily on an offence based method. It also produces victim, offender and incident counts to service external clients and internal operational needs. The ABS counts offences based on victims only. It counts only the most serious offence within the ASOC category.

6. Despite being effective in leading to the production of reliable and accurate crime statistics, the LEAP database is complicated and requires members filling in various forms for the recording of crimes.

7. A system based on a 'prima facie' model of crime recording, if properly designed, could reduce the amount of time that members spend in tasks related to the completion of forms, and improve the consistency of crime recording among members.

8. Victoria Police meets its own needs by publishing the most comprehensive set of crime statistics in the country. However, as members, stakeholders and the community demand more, not less, 'crime' related data there are opportunities to improve future levels of service. There would, however, be additional costs associated with the provision of improved levels of service (AIC 2002, p.7–8).

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7   In a 'prima facie' model, all crime allegations are recorded. Following further investigation, these crime allegations are classified as crimes or non-crimes. In an 'evidence' model, the investigating member taking the report classifies the crimes that will be recorded.

The major recommendations derived from the review were:

1. Victoria Police should move into a 'prima facie' model of crime recording. This would:

   ■ represent an advancement over other recording systems with respect to strategic crime analysis;

   ■ encourage consistency in crime recording;

   ■ enable the development of better sources of information about victims and offenders; and

   ■ match what is currently being recognised as 'best practice'.

2. The Victoria Police Annual Crime Statistics Report is based on different counting rules to the ABS Recorded Crime (finding 5 above). Victoria Police need to retain flexibility in their counting rules to meet multiple clients needs, including external agencies such as the ABS.

3. Two enhancements to the LEAP data system are recommended:

   ■ an enhanced statistically orientated quality control system should be introduced; and

   ■ a modification to the application that underpins the LEAP data entry system to overcome inefficiencies.

4. For operational enhancement, integration of existing databases and the introduction of more user-friendly interfaces for members is recommended (AIC, 2002, p.8–9).

Commentary on the findings and recommendations of the AIC Review

Crime statistics as a public interest issue

The Committee believes that crime statistics are an important public interest issue. Crime statistics provide an important source of information for the community about crime, and form an important source of information for public policy and program development. It is therefore important that the community understands the strengths and weaknesses of crime statistics. The findings and recommendations of the AIC review warrant full and public discussion. It must be noted that although the Committee is grateful to the Victoria Police for the ongoing cooperation with this and other inquiries, the Committee notes its frustration with the process that had to be applied in order to obtain a copy of this report.

Initially the Committee was advised that a copy of the report would be provided as soon as it was completed. This was first scheduled for December 2001. Subsequent advice suggested that the research was taking longer than expected and the report would not be finalised until March 2002. The Committee accepted this. However, when it was confirmed that the report had been finalised, and was in Victoria Police's possession, it was not initially passed on.

Victoria Police gave the Committee a variety of excuses as to why a copy could not be forwarded. After a number of official requests, the Chairman wrote to the Chief Commissioner on 19 September 2002 stating that, in view of the Committee's deadline for reporting to Parliament on this matter, the report would be summonsed under the provisions of the Parliamentary Committee's Act unless the police forwarded a copy of by a certain date. The report was then made available to the Committee on 24 September 2002.

The Committee further notes that the report has not been made publicly available and that this decision to withhold the report prevents any public consideration of its findings and recommendations in relation to this important issue.

Overall, the AIC review found that the LEAP system operates with high level of accuracy and operational efficiency in regard to the processing and management of crime data with which it is provided. However, in two important respects the AIC review fails to provide an ultimately satisfactory answer to the question of whether Victoria Police crime statistics are as good as they could be. The first problem is that the standard on which Victoria Police statistics should be judged is not only whether the LEAP system works effectively within its own framework of standards and processes, but also whether it represents best practice relative to other Australian police crime statistics systems and the conceptual and methodological developments outlined in Chapter 1. The terms of reference for the AIC review cover a limited range of issues when compared with the breadth of the Home Office review of crime statistics. Important questions about the accuracy and comprehensiveness of Victoria Police statistics, and the capacity of existing statistical outputs to meet the needs of users were not part of the review's terms of reference.

The second problem is that there appear to be deficiencies in the way that crime data are collected by Victoria Police. The report found that Victoria Police members exercise substantial discretion in whether or not to complete a crime report in response to a complaint by the public, and there is considerable variation between members in the way this discretion is exercised (AIC 2002, p.43). The consequence of this discretionary approach to recording crime is that Victorian crime statistics do not provide a comprehensive picture of crime in the State. Moreover, where there is substantial discretion in the creation of crime reports, it is impossible to know whether changes in crime statistics are the result of changes in the underlying rate of crime or changes in the way discretion is exercised. The remainder of this chapter considers the issues arising out of the AIC review in detail.

Scope of the AIC Review

The terms of reference for the AIC Review focus on the way that data about crime is collected by Victoria Police members and the way this data is processed and managed within the LEAP system. However, in order to have good crime

statistics it is necessary to have a system that performs effectively at each of the four stages of the system described in Chapter 1. The AIC review resolved some of the specific criticisms relating to the effectiveness of the LEAP database, but it did not address a number of important issues about crime statistics. These included:

◆ The needs of users of crime information;

There have been important changes in the uses of crime statistics in the last decade such as the demand for information about service-delivery performance and the demand for local-area information that can serve as a basis for planning and evaluation of crime prevention activities. New policy issues such as stalking, volatile substance abuse and computer-based crime have also increased the demand for crime information. However, the range of information available about crime remains largely unchanged.

◆ Whether existing crime statistics provide an appropriate description of crime and responses to crime in Victoria:

A related issue concerns whether the kind of crime information collected by police is useful or accurate. At present police collect data on the racial appearance of persons, but not on the actual indigenous status of victims and offenders. It is widely acknowledged that appearance data is unreliable, frequently missing, and of little value to users. The high representation of indigenous people in the criminal justice system is a critical issue to understanding the way the criminal justice system operates in all Australian jurisdictions. Another example is the continued use of 'clearance' statistics as a measure of the outcome of police processes. Clearance statistics represent an administrative response to crime and do not provide a measure of whether crime reports result in offenders being proceeded against.

◆ Whether the crime information collected is accurate and complete:

LEAP reports include a very large amount of potential information about crimes. However, there is a substantial level of missing data in relation to some data items. The ABS national crime statistics indicate that information on the relationship between victims and offenders is missing in over half of assault incidents, one-quarter of sexual assault incidents and around one-fifth of blackmail, extortion and murder offences. In all these cases the proportion of cases with missing data on relationship is higher than rates in most other Australian jurisdictions. The AIC review also notes that missing information on crime locations has previously been identified as a problem for LEAP.

The issues outlined above are indicative, and it is unclear whether these problems are serious or widespread. What is clear is that there has not been any publicly available review of these issues, and hence no meaningful public

debate about the quality or future development of Victorian crime statistics has been possible. These issues cannot be resolved without a thorough review of the demand for crime statistics and the quality and capacity of existing statistical systems to meet this demand.

Data collection issues

The AIC review included an investigation of crime-recording decisions by police members in order to measure consistency in their decisions to record allegations of crime, and to identify the factors contributing to variations between members in their decisions to record crimes. The review team designed a series of scenario exercises where members were given hypothetical examples of crime allegations and asked to say whether they would record or not record the incident. Fourteen scenarios were used in this study and the exercises were completed by a total of nearly 500 members in five police regions. The review team reported that this study confirmed the importance of evidential factors in the decision to record an incident as a crime, and showed that there was considerable variation between members in their decisions to record an incident as a crime.

For example, scenario 11 set out the following circumstances:

> A woman alleges that she has been raped and names the offender. She states that she is not prepared to attend court and give evidence and she does not want the police to contact the person. She is simply reporting the offence so that police are aware of the matter (AIC 2002, p.44).

For this scenario 69.4% of members responded that they would record a crime, 5.5% that they would not, and 25% were undecided as to whether to record.

Scenario 13 sets out the following circumstances:

> A petrol station cashier reports that they have had a drive off. A red Escort filled up with $33.90 worth of petrol and the driver failed to pay. The cashier has details of the registration number of the vehicle, which are passed to you (AIC 2002, p.44).

For this scenario only 36.6% of members responded that they would complete a LEAP record, 0.9% that they would not, and 62.5% could make no decision.

The significance of these results as well as those of many of the other scenarios is that there is a clear case that a crime has been committed. The incident scenarios in the exercise were constructed so that there was uncertainty about the evidential status of the incident, and the successful investigation of these crimes may have been limited by factors such as the willingness of victims to participate in the investigation or the ability of members to identify the probable offender. The results of these scenario exercises show that these considerations can have a very substantial effect on police members' decisions to record crimes.

At least some of the incidents in the scenarios satisfy the existing LEAP crime recording policy – that there was evidence about the crime that could support

an investigation (see below). The relatively high proportion of members who reported that they could make no decision indicates that this current policy is either not widely understood or that members do not act in a manner consistent with this policy.

The lack of consistency between police members in their responses to the scenarios is also concerning. In six of the 14 scenarios used in this study at least 80% of the members responding selected the same response (complete a LEAP report, not complete a LEAP report or undecided). In the remaining eight scenarios the rate of agreement between members was below 80%. Again, this suggests that the current policy on recording crime is not widely understood.

Crime statistics as a valid measure of crime

One of the primary requirements for crime statistics is that they should be comprehensive. This means that crime statistics should provide full coverage of all forms of crime, and that all instances of crime that occur should be counted. There are two models for crime statistics, and how these models are applied is critical to whether the statistics provide a valid measure of crime. A prima facie model for crime statistics requires that all crimes that are reported by members of the public and other sources are counted, regardless of whether an offence is found to have occurred. In this model, crime statistics represent the demand for police services. The evidential model for crime statistics counts crimes only after some sort of investigation has been undertaken by police to determine whether there is any evidence that a crime was committed.

Victoria Police currently use an evidential model. The AIC review notes that Victoria Police instructions to members require that:

> …an employee receiving a report of an incident must make sufficient initial enquiries to establish that a crime has been committed. Where the facts indicated that a crime has been committed, the employee must complete and submit all relevant LEAP reports (AIC 2002, p.12).

The Home Office review of crime statistics found that the use of evidential recording rules by UK police forces was a major source of inconsistency in crime statistics. This report argued that:

> (the) 'prima facie' approach should apply to the initial reporting of an 'incident' or 'call for service', e.g. when the assumed crime first comes to the attention of the police, whilst the 'evidential' applies to its acceptance as a valid crime on which a full crime report should be based, and on the basis of which an eventual prosecution might take place (Home Office 2000, p. 15).

The adoption of a prima facie standard for recording crime statistics does not mean that subsequent evidence about the nature of the alleged offence is irrelevant. Prima facie statistics must be understood as a measure of the demand by the public for police services. Evidential information is important in understanding what happens to these calls for service. Some calls will be investigated and an offender will be identified and proceeded against. In other

cases complainants will withdraw their allegation or refuse to provide supporting evidence. Other outcomes will includes cases where the investigation does not yield any identification of an offender, or where the offender is identified but cannot be proceeded against because he or she is dead, unavailable or too young. These are all measures of the outcomes of investigative processes and in themselves are valuable measures of the way that police go about their work.

The Home Office review made a strong recommendation that crime statistics should be recorded on a prima facie basis. The AIC review also recommended that Victoria Police should move to a prima facie crime recording model where crime statistics provide an index of the demand for police services. It might be thought that evidential recording is appropriate so that crime statistics on record are those things that are 'really' crime. However, any decision about whether something is 'really' a crime or not is complex, subject to individual bias and variation and may mean that some important events do not get counted. The Committee strongly endorses this recommendation, based on the following considerations.

1. Evidential recording of crime statistics gives rise to unreliable statistics

If police members are required to make a judgment about whether a crime reported to them meets evidential requirements, then their judgments are a source of potential inconsistency in crime statistics. Inconsistency arises because the degree or type of discretion employed by police members may vary over time or from place to place. The AIC study of police members' decisions on whether to record an incident as a crime (see below) showed that there is substantial variation between individual police members in their judgments. The AIC investigation also showed that, for at least some kinds of crime, there was inconsistency between police administrative regions and ranks in these evidential judgments (AIC 2002, pp. 45–46). The limited scope of the AIC investigations did not allow them to test whether the exercise of this evidential discretion varies over time, but it should be assumed that this is also a possibility.

The central problem for crime statistics collected on an evidential basis is that it can never be clear whether variations in crime rates over time or between one place and the next is due to a real difference is the underlying crime rate or whether it arises from variations in the exercise of discretion and/or policy. The AIC review makes it clear that Victorian crime statistics show variation that does not arise from any real change in the level of criminal behaviour.

2. Evidential crime recording leads to under-reporting of sexual assaults and family violence

Some forms of crime are much more likely to fail to satisfy an evidential test. The difference between evidential and prima facie recording of crimes like household burglaries is likely to be small. The factual evidence that a crime has taken place is likely to be clear, and the complainants are likely to be adults

who willingly provide police with statements and other evidence in order to assist in the detection and eventual prosecution of the offender. In contrast, sexual assaults and family violence frequently involve circumstances where evidence is unclear or contradictory, factual evidence is lacking and where complainants do not wish to provide formal evidence. A high proportion of victims of sexual assault and family violence are children or adolescents who find it difficult to satisfy evidential standards. If police members are required to 'establish that a crime has been committed' before completing a crime report then it is inevitable that these forms of crime will be under-represented in crime statistics.

3.   People understand that crime statistics include all crimes reported to police, not only those that satisfy evidential standards

Crime statistics are commonly understood as a measure of the level of crime that takes place in the community. The application of evidential standards means that crime statistics are no longer an index of actual crime rates but rather of the rates of those crimes that meet evidential standards.

4.   Evidential crime statistics are inconsistent with nationally comparable crime statistics

This problem is one that affects all Australian States and Territories. The application of evidential standards to the recording of crimes has the potential to impact on the comparability of national statistics. In the same way that variation in discretion and evidential standards can produce inconsistencies within a jurisdiction, this kind of variation can also produce inconsistencies between jurisdictions. If police in different jurisdictions apply different evidential standards, then the national recorded crime statistics compiled by the Australian Bureau of Statistics cannot be said to provide comparable data across the States and Territories of Australia. The only way that national crime data can be truly comparable is if a prima facie recording standard is applied.

Data processing and management

The review examined the processing of LEAP records submitted to the Central Data Entry Bureau and concluded that these processes were well managed and accurate, with effective quality assurance of the data recorded in the LEAP data base and a negligible level of error in the records used to produce crime statistics. However, the review team also carried out a study of crime counting processes that involved working back from a random sample of 580 LEAP records to the paper forms that were used to produce them and the associated running sheets. The review team received 399 LEAP forms (69% of those sought) and 153 running sheets (38% of those sought). The review report does not provide any analysis of why the proportion of missing forms and running sheets were so high, and it is unclear whether this represented a genuine inability to identify and provide these documents. In the absence of such an

analysis it is difficult to make any comment on this aspect of data management.

Output and analysis

One of the important outputs from LEAP is the national crime statistics provided to the ABS. The AIC review team examined the way that LEAP data is counted and classified in relation to the ABS' national standards. They found that there were variations between the Victoria Police and ABS counts arising from different counting rules applied. The review concluded that Victoria Police meets national standards in the provision of data to the ABS.

The terms of reference of the AIC review did not include any requirement to examine the statistical information made available by the Victoria Police in relation to the needs of users, although the report comments that Victoria Police publish the most comprehensive set of crime statistics in the country.

Conclusions

The AIC review of LEAP is based on a thorough and thoughtful analysis of the way Victoria Police process crime information from the occurrence of a crime incident to the outputting of crime statistics. Its findings show that, in general, LEAP data processing and data management is carried out professionally and with a high standard of accuracy and efficiency. However, the AIC report also indicates that there are significant problems with the processes whereby police identify crime incidents as appropriate for recording as crime statistics. These findings do not support the contention of the Chief Commissioner that the AIC report 'showed that the crime statistics published by Victoria Police are accurate' or that 'Victorians can be confident that Victoria Police crime statistics are accurate' (Victoria Police Media Release 11 October 2002, *Independent Review Supports Crime Figures*).

These problems of coverage and recording practices are not unique to the Victoria Police. Nevertheless, the problem of coverage is central to the validity and usefulness of crime statistics. If some kinds of crime are selectively omitted from crime statistics because of the evidential problems that they present to investigating police, the community cannot be guaranteed that it has a comprehensive picture of the nature of crime in this State. The AIC review goes some way to identifying the problems inherent in the coverage of crime statistics, and its recommendations are worthwhile and should be supported.

It is now ten years since the LEAP system was developed and implemented. The AIC review should be seen as a starting point for identifying and addressing these problems rather than an end. A definite answer to the issues discussed here will require a more detailed audit of the processes whereby reports to the police are translated into crime statistics. This review should be carried out on the thematic model developed by Her Majesty's Inspectorate of Constabulary in the UK (HMIC, 2000), with a focus on those forms of crime most likely to

be excluded from statistics. In the longer term, there is a strong case for regular, external reviews to ensure the quality of Victorian crime statistics. The Committee notes that this is a role played in New South Wales by that State's Bureau of Crime Statistics and Research.

The future of Victorian crime statistics should be seen in a much broader context than simply whether the current system operates effectively within its own terms. When the LEAP system was introduced it represented a very significant advance over the existing system of paper-based crime statistics. It collected more information about more kinds of incidents and events, allowed different forms of data to be linked to one another, dramatically reduced the delays involved in processing data into statistics, and made the processing of data much more efficient. However, Victorian crime statistics can no longer be regarded as 'best practice'. The LEAP System, which was set up as an intelligence system and not as a purely statistical reporting system, is based on 1980s technology and is not linked to other police and criminal justice databases. The introduction of the Local Priority Policing Programme and its need for timely and accurate crime statistical information to drive local and state-wide policies and practices has exposed flaws in the LEAP system, particularly at the local level.

The Committee recommends that a more broadly-based review of Victoria police crime statistics is needed in order to resolve these outstanding issues. This review should be based on the scope and processes of the Home Office review of crime statistics, and include consideration of:

◆ the needs of users including police, government and the community;

◆ the future development of the LEAP database and the crime recording and data entry processes associated with it;

◆ statistical standards and frameworks that are consistent with integrated, incident-based statistics; and

◆ more detailed and accessible statistical data on issues of policy, operational and research significance.

The issue of evidential versus prima facie recording of crime allegations is one that cannot be solved by Victoria in isolation. The Committee has been advised that the National Centre for Crime and Justice Statistics at the Australian Bureau of Statistics is to undertake a national review of crime statistics in all Australian States and Territories. This review must address the need for a common standard across Australian police forces for the creation of crime records. The Committee strongly endorses this national review.

6. The Case for a Victorian Bureau of Crime Statistics

For some time there have been calls for an independent Bureau of Crime Statistics and Research to be established in Victoria. In the period between 1970 and 1985 a series of State and Commonwealth agencies were created that each had the general goal of improving the quality of criminal justice information and research. These bodies included the Australian Institute of Criminology, the New South Wales Bureau of Crime Statistics and Research, the South Australian Office of Crime Statistics and the West Australian Crime Research Centre. Towards the end of this period there were several initiatives in Victoria intended to create a similar body in the form of a Victorian Bureau of Crime Statistics and Research. This chapter reviews the history of these initiatives and addresses the question of whether there is still a case for such a body in Victoria.

Steps to the creation of a Victorian Bureau of Crime Statistics and Research

In 1986 a Sentencing Committee chaired by the former Chief Justice of Victoria, Sir John Starke, commenced an extensive review of sentencing issues designed to serve as the basis for a new Penalties and Sentences Act. In its final report, delivered in 1988, the Sentencing Committee found that the process of sentencing reform and the capacity of sentencers to exercise discretion in a systematic manner were hampered by a lack of statistical information about crime, sentencing and correctional processes. It recommended that a Judicial Studies Board should be created to carry out a variety of roles including the collection and publication of statistics on crime, sentencing and corrections, and the conduct of research on sentencing matters and factors that affect the level of crime in the community (Victorian Sentencing Committee 1988).

At about the same time the Australian Institute of Criminology and the Law Reform Commission of Victoria jointly sponsored a seminar in Melbourne December 1987 on the subject 'Should Victoria have a Bureau of Crime Statistics and Research?' In response to this seminar and the recommendations of the Sentencing Committee the Government drew up a Criminal Justice

(Boards) Bills to establish a Judicial Studies Board and a Bureau of Crime Research and Statistics. Clause 18 of the Bill set out the Bureau's functions as:

a. To monitor changing patterns of criminality and the impact of those changes on the criminal justice system;

b. To monitor the implementation of important criminal justice initiatives;

c. To undertake research on criminal justice matters at the request of the Attorney-General, the Minister administering the *Corrections Act* 1986 or the Minister administering the *Police Regulations Act* 1958 and to report to the relevant Minister or Ministers;

d. To co-ordinate the collection of criminal justice statistics with the co-operation of existing criminal justice agencies;

e. To develop and implement, in consultation with relevant Commonwealth and State agencies, a system for the development and collection of criminal justice statistics;

f. To provide statistical information on the criminal justice system to judges, magistrates and other interested people, bodies or associations;

g. To publish statistical reports on the criminal justice system and bulletins on issues of current importance.

The first part of the Bill setting up the Judicial Studies Board was passed into law as the *Judicial Studies Board Act* 1990. The second part of the Bill pertaining to the Bureau of Crime Research and Statistics was referred to the Legal and Constitutional Committee of Parliament for consideration of the structure, membership and staffing of the Bureau and the functions as specified in clause 18. The report of the Legal and Constitutional Committee reaffirmed the need for an independent Bureau of Crime Statistics to be established in Victoria and recommended a number of changes to the membership and functions of the Bureau's Advisory Committee (Legal and Constitutional Committee 1991).

In early 1992 a Bureau of Crime Statistics and Research was established as an administrative unit within the Attorney-General's Department, and legislation for an independent statutory body was introduced into Parliament. The priority tasks for the Bureau were to establish the basis for a coordinated statistical infrastructure for Victorian crime and justice statistics and to produce a series of research and statistical reports on topics of policy and research significance. The Bureau issued several reports, including an inventory of criminal justice databases, a seriousness index for indictable offences and undertook research into the sentencing of sexual offenders. However, when the government changed, as a result of the State elections in 1992, this legislation was not reintroduced into the Parliament. As a consequence, in 1993 the Bureau was subsumed as a Criminal Justice Statistics Unit within the Department of Justice.

Crime and justice statistics in Victoria after 1993

After the demise of the embryonic Bureau, responsibility for crime and justice statistics reverted to the agencies responsible for the administration of criminal justice in the State. Crime statistics continued to be produced mainly by Victoria Police, with some additional analysis and two victimisation surveys produced by business units within the Department of Justice, the Criminal Justice Statistics Unit and Crime Prevention Victoria. Crime Prevention Victoria also produced a series of statistical and research review papers on criminal justice topics. A range of court statistics were produced by the Caseflow Analysis Section within the Department of Justice, although the production of higher court sentencing and caseflow statistics ceased after 1995 and have not resumed since then. Corrections statistics were produced by the Office of the Correctional Services Commissioner.

A significant development after 1993 was the establishment of the National Crime Statistics Unit within the Australian Bureau of Statistics, with the first nationally comparable statistics being produced in 1993 and annually thereafter. The National Criminal Courts Statistics Unit produced national higher court flow statistics from 1995/96 onwards, and the National Correctional Services Statistics Unit was established in 1996. The latter took over responsibility for nationally comparable corrections statistics from the Australian Institute of Criminology. In 1998 these three statistical units were combined into the ABS National Centre for Crime and Justice Statistics, and this body also produced a range of statistical standards, including the Australian Standard Classification of Offences in 1997 and the National Crime and Justice Statistics Framework in 2000.

Overall, the range of statistics available in Victoria remained substantially the same as it had been prior to 1993, with some enhancements in crime statistics offset by the absence of higher court statistics after 1995.

Is there still a case for a Victorian Bureau of Crime Statistics and Research?

In the period leading to the introduction of the Bureau of Crime Statistics and Research Bill in 1992, the Attorney-General's Department and the Legal and Constitutional Committee carried out extensive consultation with stakeholders both in Victoria and other Australian jurisdictions. The results of the Legal and Constitutional Committee's consultations are set out in its 1991 report to Parliament. During this period written submissions were received from a range of private and public sector agencies, and evidence was taken from witnesses representing the Victoria Police, Victorian government departments and related agencies (Office of Corrections, Community Services Victoria, Attorney-General's Department, Law Reform Commission), and three State crime statistics and research agencies (NSW Bureau of Crime Statistics and Research, SA Office of Crime Statistics, WA Crime Research Centre).

These consultations found widespread support for the creation of a Bureau and identified a number of arguments in favour of this development including:

◆ That the range and quality of Victorian criminal justice statistics and research were inadequate to support policy and program development. For example, the Law Reform Commission commented that the range of information on homicide, the use of the insanity defence, public drunkenness and the use of weapons in crime which was available to the Commission in Victoria was inferior to that available in New South Wales. Similarly, the Community Council Against Violence commented that the Council had expended a great deal of time and effort to collect basic information on the location of offences.

◆ That there was a need for inter-agency co-ordination in statistical standards and the integration of statistics from different sources. For example, the Australian Bankers Association commented that its research on robbery had been hampered by the inability to track alleged offenders charged with robbery through the courts to determine sentencing patterns. Similarly, the Community Council Against Violence had been unable to track persons charged with rape.

◆ That these requirements for co-ordinated and integrated criminal justice information could not be met by existing agencies. The Committee heard that attempts to address this issue through an inter-agency working party had been unsuccessful, and that a lead agency approach was also inappropriate. The Committee noted that there was an intrinsic impediment to such approaches arising from 'the pragmatic demands on each agency's limited resources which quite naturally pull each agency towards its own rather than an inter-agency agenda' (LCC, 1991, p.11).

◆ That there was a demand for independent and objective analysis of criminal justice information that could not be satisfied by an inter-agency or lead agency approach. The Committee noted that 'the information product of an inter-agency or lead agency approach would not have or would not be perceived as having the necessary quality of independence' (LCC 1991, p.11).

Each of these arguments is examined below in relation to the current state of criminal justice statistics and research in Victoria.

Adequacy of existing criminal justice statistics and research

There continues to be criticism of the range and quality of criminal justice statistics in Victoria. The crime statistics produced by the Victoria Police have been the subject of criticism by the Drugs and Crime Prevention Committee, by researchers and in the Victorian press, some of which have been discussed in the previous chapter. The report of the Sentencing Review conducted in 2000 and 2001 by Professor Freiberg of the University of Melbourne identified the

inadequacies in Victorian criminal justice statistics as an impediment to that review. Professor Freiberg reported that:

> Victoria's criminal justice statistical information base is amongst the least developed of any in Australia. The information provided to sentencers, researchers and the general public is episodic and less than comprehensive. This is partly the product of not having an independent bureau of crime statistics and research such as exist in New South Wales, South Australia, Western Australia and to a lesser extent, Queensland. This Review has been considerably hindered by not having comprehensive, up-to-date and accurate sentencing data readily available. Nor did it have published analyses of crime rates or sentencing patterns or projections of prison and correctional populations. The need for such information is urgent and ongoing. Public policy should not be developed in ignorance of information which should be readily available and public. The Judicial College would not be the appropriate body to undertake such statistical research and analysis. Whether or not the Sentencing Advisory Council is established, a body or unit should be set up to provide this service to the public and to the legal profession (Freiberg 2002, p.194).

In the same report, Professor Freiberg noted that:

> A number of consultees lamented the poor state of Victoria's sentencing statistics and urged that the situation be urgently remedied, whether through a Council or otherwise (Freiberg, 2000, p.194).

The lack of a regular survey of crime victimisation in Victoria constitutes a significant barrier to understanding patterns and trends in crime in this State. Official (police) crime statistics include only those matters that come to the attention of police and are recorded by them as crimes. A complete picture of crime requires that police statistics are supplemented by information from victimisation surveys and self-report surveys of offending. The absence of a regular survey of crime victimisation in Victoria is a major limiting factor in understanding crime trends and patterns.

Crime victimisation surveys in Victoria have been conducted on an irregular basis and in the past decade two different survey methodologies have been employed. The Australian Bureau of Statistics conducted national victimisation surveys in 1993 and 1998, and a further survey was conducted in April 2002, with a report due in 2003. The ABS survey is conducted as a supplement to the Labour Force Survey, and uses a 'drop-off/mail-back' methodology. The ABS also conducted Victorian State crime victimisation surveys in 1994 and 1995. The Department of Justice has also conducted victimisation surveys in Victoria in 1996 and 1999, using a different methodology (a combination of telephone survey and face-to-face interviewing), with the result that the statistics from these surveys cannot be compared with the crime rate estimates from the ABS surveys.

An important development in the demand for criminal justice statistics has been the establishment of the Review of Commonwealth/State Service Provision under the auspice of the Productivity Commission. The Service Provision Review has acted as a stimulus for the development of statistical information in a range of areas relating to the effectiveness and efficiency of crime and justice operations. However, the Review has also identified a number of important deficiencies in available criminal justice information. One of the most important of these deficiencies is the lack of reliable data on the Indigenous status of persons coming into contact with the justice system. The Steering Committee's report in 2001 noted:

> The accuracy of police records of charges or convictions against Indigenous people is uncertain, depending on whether the records were made on the basis of appearance or self-identification… Throughout nearly all jurisdictions, court administrations appear not to record the racial identity of litigants in a form that can be readily extracted as data. (Steering Committee for the Review of Commonwealth State Service Provision 2001).

The Steering Committee also complained of:

> … the failure of a number of justice agencies to ask for the person's Indigenous status.

It is instructive to note that many of the issues raised by witnesses or in submissions to the 1991 Legal and Constitutional Committee inquiry still constitute gaps in criminal justice information in Victoria. It is still not possible to track alleged offenders from the point of arrest by the police through the courts and into the corrections system. The availability of sentencing information for law and sentencing reform is worse than was the case in 1991. Information about issues central to understanding patterns of sexual assault in the community (especially the relationship between victims and offenders) is still inadequate.

Lack of co-ordination and integration in criminal justice statistics

The development of national statistical standards and classification by the Australian Bureau of Statistics has gone some way to addressing the lack of co-ordination between agencies in these areas. The ABS has produced national classifications for offence types (the Australian Standard Offence Classification), illicit drugs (the National Classification of Drugs of Concern), and national crime statistical classifications for weapons, location type, relationship between victims and offenders, and outcome of investigations, and national court and correctional classifications for a variety of data items including community corrections order types, sentence outcome types and method of case finalisation. However, the use of these standards and classifications has been mainly restricted to statistics produced for the ABS national collections and they have not generally flowed through to agency-specific statistical collections.

The Review of Commonwealth/State Service provision has highlighted the need for better integration of criminal justice information. The Steering Committee has noted that justice agencies '… have not significantly co-ordinated their efforts in the past either within or between jurisdictions. Co-ordination requires: shared knowledge of activities, planning and processes between agencies, cooperation and coordination in the development of strategic and corporate plans; and consistent objectives across the criminal justice system' (SCRCSSP 1998).

A key development relating to the integration of criminal justice information in Victoria has been the establishment of the Criminal Justice Enhancement Project (CJEP). This project comprises five sub-projects that are all intended to enhance access, quality and efficiency in Victoria's criminal justice system and help its agencies to work together effectively in serving the community. One of these sub-projects is the establishment of a Justice Knowledge Bank/Exchange which supports secure information exchange across the portfolio. The Justice Knowledge Exchange Project (JKE) is aimed at building the technology required to support storage, retrieval and routing of shared criminal justice information. The JKE maintains a security infrastructure which guarantees a secure operational environment, provides naming and coding standards for use across the system, and directs 'traffic' seamlessly for the user.

However, while the Justice Knowledge Bank/Exchange will provide an integrated justice information infrastructure, it will not undertake the statistical development or analytic activities necessary to better understand the Victorian criminal justice system as a single, interacting process. In the absence of any body with the knowledge and expertise to undertake this kind of work, the full potential of this component of CJEP will not be realised.

A demand for independent and objective analysis

The Legal and Constitutional Committee's report highlighted the need for a statutorily independent agency to provide analysis and comment on criminal justice issues. The agencies consulted in its review were all in favour of a body that was independent of existing agencies. The Legal and Constitutional Committee reported that any agency taking on the Clause 18 functions would exercise a 'natural bias towards its own agenda … and that perception itself would in turn impede cooperation from those other agencies.' The Committee noted that:

> It is generally agreed that there is no value in undertaking the Clause 18 functions unless the product – system wide criminal justice information – is truly independent of real or perceived self-serving biases. (Legal and Constitutional Committee, 1991).

Little has changed since the Legal and Constitutional Committee 1991 report. While there has been greater administrative integration of what were formerly separate service agencies into a single Department of Justice, there continues to

be a need for advice that is independent of bias or the perception of bias arising from policy or operational pressures. Government agencies are now subjected to greater budgetary and service delivery scrutiny through national processes such as the Commonwealth State Service Provision Review as well as state-level processes such as the Expenditure Review Committee. Statistical data on service delivery processes and outcomes is a key element in these review processes. Indeed, it is arguable that these developments mean that the need for independent and objective analysis is greater than was the case in 1991.

The Drugs and Crime Prevention Committee has heard evidence that clearly demonstrates a continuing need for an independent source of advice and analysis on crime. A key issue is the allegation made in most jurisdictions that statistics compiled by the police and government agencies are not free from political influence.

The Chief Commissioner of Police for Victoria[8] stated in conversation with the Committee:

> It is not uncommon for police organisations not to release crime statistics. It is sometimes because of the political influences on policing. Sometimes politicians do not wish you to release crime statistics because they may make the state look more or less dangerous or more secure than it is. I have certainly been subjected to that. The process of keeping crime statistics secret is quite common. Whether or not Victoria Police did it for reasons of wanting to protect the information I cannot say, but it is a common practice in policing and it is a common practice in politics to encourage police to not release that information (Chief Commissioner C. Nixon, in conversation with the Drugs and Crime Prevention Committee, 11 September 2001).

The same issue was raised by the Director of the NSW Bureau of Crime Statistics and Research, Dr. Don Weatherburn, who also identified the perception of bias as an important problem:

> The reason we have both organisations (i.e. the police and the Bureau) is at least twofold. Firstly when crime statistics were maintained by the police the Minister had a constant credibility problem, was constantly challenged by the Opposition and everybody else about the veracity of what he was saying or she was saying about crime. The second problem is that the police figures were constantly being leaked by police with an axe to grind against the government of the day or the Minister of the day or their own superior. So you had a combination of constant leaking of crime statistics and constant public doubt about the truth of what the responsible Minister was saying (Dr. D. Weatherburn, in conversation with Drugs and Crime Prevention Committee, 26 April 2002).

This issue of the accuracy and independence of crime statistics is not unique to Australia. During the Committee's visit to the US National Institute of Justice, the Director of the Institute's International Centre acknowledged that it was

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8   Ms. Nixon was sworn in as Chief Commissioner for the Victoria Police on 23 April 2001.

common for political pressure to be exerted to keep crime statistics down, resulting in creative manipulation of data by enforcement authorities so that crime always appears to be on the decrease. He noted that in some instances:

> …the FBI refused to accept data from various police departments because they felt they were so fraught with error, that they were under-reporting (Dr. J. Finkenauer, in conversation with the Drugs and Crime Prevention Committee, 19 July 2001).

The existence of a Bureau of Crime Statistics and Research with responsibility for disseminating information about crime statistics benefits users have through having a single source of information and receiving consistent messages about the state of crime. Dr. Weatherburn advised the Committee that the NSW Bureau's role as a central information source that was seen as unbiased and authoritative meant that debate was no longer about the veracity of crime statistics and focussed on the proper ways to deal with crime.

> From my point of view and I think from the public's point of view it's definitely a net plus because the argument is not about what's happening to crime but what to do about it. Instead of having two arguments, one about the facts and one about how to deal with them, you're having one set of arguments (Dr. D. Weatherburn, in conversation with Drugs and Crime Prevention Committee, 26 April 2002).

Summary

It is the view of the Drugs and Crime Prevention Committee that the case for a Bureau of Crime Statistics in Victoria remains as valid as it was in 1991. Some of the specific requirements and functions that would apply to such an agency have changed since 1991. The role of the National Centre for Crime and Justice Statistics in the development of statistical standards and classifications means that a Victorian Bureau would be more concerned with the application of these standards to State data than with the direct development of standards. However, the need for many of the functions determined for the Bureau is now stronger than was the case in 1991. The absence of a regular independent victimisation survey and higher courts' statistics constitute deficiencies in Victorian criminal justice information. The initiatives arising from the Criminal Justice Enhancement Project provide the basis for, and highlight the need, for systemic analysis of criminal justice issues. Finally, the lack of independent oversight of criminal justice data means that neither the government nor the community can have the confidence in this information that it should rightly have.

The Home Office review of crime statistics reported that there was a public perception that crime statistics were 'essentially meaningless'. It is unclear how much confidence Victorians place in crime statistics. What is clear is that the community's fear of crime is an issue of increasing significance in the determination of criminal justice policy, and that this fear is frequently unrelated to the community's actual risk of victimisation. If people are to be well informed

about the nature and extent of crime in the community and the way that government agencies respond to crime, it is crucial that they have confidence in the quality and independence of this information.

7. Options for Establishing a Bureau of Crime Statistics in Victoria

It is the Committee's view that the case which existed in 1991 for establishing an independent Bureau of Crime Statistics and Research in Victoria is still valid in 2002. However, there have been some important changes in the criminal justice environment over this period that must be taken into account in determining an appropriate model for a Bureau. There is no single structural or functional model for satisfying the need for independent, reliable criminal justice information. Within Australia and internationally there are many organisations that fulfil some or all of the requirements that have been envisaged for a Victorian Bureau of Crime Statistics and Research. This chapter reviews some of the possible models and considers options for the functions and structural arrangements under which a Bureau could be established.

Australian and international criminal justice statistics and research agencies

New South Wales Bureau of Crime Statistics and Research

The New South Wales Bureau of Crime Statistics and Research (BOCSAR) is a division of the NSW Attorney-General's Department. Its functions include the collection and publication of statistics on crime and criminal justice, the conduct of research and evaluation on issues of policy significance, and the provision of an information service about crime and criminal justice to the community. BOCSAR is widely regarded as an independent and authoritative source of information and analysis on a wide range of issues, although the general perception of its independence is principally due to its reputation and that of its Director, Dr. Weatherburn, for providing factual and balanced information. Dr. Weatherburn was interviewed at length by the Committee and it is the Committee's view that BOCSAR represents a potential model for a Victorian Bureau.

South Australian Office of Crime Statistics

The South Australian Office of Crime Statistics (OCS) is an administrative unit within the SA Attorney-General's Department. In many respects the OCS's role and functions closely mirror those of the NSW Bureau. It is primarily

concerned with the collection and publication of statistics on crime and justice but also undertakes a range of research and evaluation projects and provides a general public information service. As with BOCSAR, the OCS has no statutory independence from government.

West Australian Crime Research Centre

The Crime Research Centre (CRC) was established under a grant from the West Australian government as a research centre at the University of Western Australia. The CRC operates in a cooperative relationship with West Australian criminal justice agencies, and publishes a range of statistics on crime and justice. It also undertakes research and evaluation at the request of WA government agencies, as well as research initiated directly by the CRC. The CRC has an Advisory Committee that is chaired by the Chief Justice of Western Australia and has representatives from State government agencies but is otherwise independent of any government agency.

Home Office Research, Development and Statistics Directorate

The provision of criminal justice statistics in the UK is the responsibility of the Research, Development and Statistics (RDS) Directorate of the Home Office. The RDS combines some of the national policy and research roles that in Australia are the responsibility of the Australian Institute of Criminology with a wide-ranging role in the collection of crime and justice statistics. The RDS also commissions and manages the UK national victimisation survey. Like BOCSAR and the OCS, the RDS has no statutory independence, but it does have a strong reputation for providing authoritative and unbiased information and analysis.

US Bureau of Justice Statistics

The Bureau of Justice Statistics (BJS) in the United States is a branch of the National Institute of Justice. The functions of the BJS are almost exclusively concerned with the development, collection and dissemination of criminal justice statistics. There are strong similarities between the role of the BJS and the ABS' National Centre for Crime and Justice Statistics, although the BJS does carry out a limited range of research and provides more thematic analysis and commentary than the ABS unit. The BJS has responsibility for the design and analysis of the US national victimisation survey.

Functions of a Bureau

Statistical functions

The minimal set of functions for an agency that provides criminal justice information include responsibility for the production and dissemination of official criminal justice statistics. The US Bureau of Justice Statistics most closely approximates an agency operating on this core functions model, although it is notable that the BJS operates in close cooperation with other

agencies within the National Institute of Justice which provide a focus on research, evaluation and policy development.

These core statistical functions include:

- To establish system-wide statistical standards and coordinate the collection of criminal justice statistics by criminal justice agencies;

- To collect and publish criminal justice statistics on specific topics and on a system-wide, integrated basis; and

- To monitor changing patterns of criminality and the impact of those changes on the criminal justice system.

There are several considerations in relation to how those functions apply to Victoria. The first is that the ABS National Centre for Crime and Justice Statistics has the responsibility for the development of statistical standards that apply to the national crime and justice collections. As a result, the priority for a Victorian Bureau would be to establish standards for those statistical issues that do not fall under the ABS national collections, and, in cooperation with criminal justice agencies, to work towards the implementation of the ABS national standards in Victorian statistical collections.

A second consideration is that the work of the Criminal Justice Enhancement Project is central to system-wide, integrated criminal justice statistics in Victoria. The functions of a Victorian Bureau would therefore need to provide for close cooperation with CJEP in the development of statistical output specifications for the Justice Knowledge/Exchange project.

A third consideration is that the lack of any higher court statistics in Victoria is an important deficiency that hampers the work of the courts and judiciary. The re-establishment of these statistical collections may need to be made a priority for the Bureau.

A fourth consideration is that the lack of a regular victimisation survey is an important barrier to monitoring trends and patterns of criminality in Victoria, and for monitoring the scope and quality of other crime statistics. The establishment of a regular victimisation survey, timed to fill the gaps in the ABS' series of national surveys, should also be a priority function for a Victorian Bureau.

Information dissemination functions

Statistical information is only useful if it is made available to users in a form that meets their requirements. In the case of the NSW Bureau of Crime Statistics and Research and the SA Office of Crime Statistics, this information dissemination activity is an important function in its own right. The core functions of a Victorian Bureau should include the dissemination of criminal justice information to Parliament, government agencies and the community.

The development of internet-based distribution means that this kind of function can be carried out at a low cost and achieve very wide state, national

and international coverage of potential users. Several issues need to be considered regarding how this function might be exercised.

The most important is that there has not been any systematic attempt to determine the nature and extent of users' needs for criminal justice information. The nascent 1992 Bureau began this task but its work is now thoroughly out of date. A Victorian Bureau would need to begin by undertaking a review of users' requirements. At least one unmet requirement for information is clear: Professor Freiberg's Sentencing Review has identified the need for sentencing data to be made available to the judiciary and the wider legal community, although this would necessarily require that the high court sentencing statistics be re-established.

Research and evaluation functions

The majority of criminal justice information agencies combine statistical functions with some research and evaluation activity. These functions would include:

◆   To monitor the implementation of important criminal justice initiatives; and

◆   To undertake research on criminal justice matters.

The situation in regard to meeting the need for criminal justice research and evaluation is complex, as government agencies carry out relatively little of this work directly and more commonly operate through public tendering of research and evaluation projects. In this respect, the overall capacity for undertaking research and evaluation is probably now greater than it was in 1991. Nevertheless, there continue to be aspects of research and evaluation that could be most effectively undertaken by an independent Bureau. These include issues that cross the boundaries of individual criminal justice agencies (for example, the impact of arrest diversion programs on remand imprisonment rates), or where the government requires a fully independent review of an issue.

The Committee notes that one of the achievements of the NSW BOCSAR has been to establish itself as a recognised source of expertise in several areas of criminological research and evaluation. A Victorian Bureau should similarly aim to establish itself as a source of expertise in priority areas of policy interest.

Policy development and advice functions

Some criminal justice information agencies, such as the Home Office Research, Development and Statistics Directorate, also have a substantial role in the development or analysis of policy. It is the Committee's view that a Victorian Bureau should not undertake functions of this nature. The Committee agrees with the advice given to it by Dr. Weatherburn that a Bureau should aim to provide information that helps government to understand the impact and implications of policy, but not engage directly in the formulation or analysis of policy.

Organisational options for a Victorian Bureau

The Legal and Constitutional Committee identified three organisational models for establishing a Bureau. These were:

◆ an administrative unit within an existing government department (the BOCSAR model);

◆ an independent government agency operating under its own legislation; and

◆ a Bureau established in association with a university department or faculty (the WA Crime Research Centre model).

To these three options should be added a fourth possibility of a national agency established to satisfy the statistical and research needs of all Australian States and Territories.

Can these functions be carried out by an existing Victorian State agency?

The Legal and Constitutional Committee rejected the option of an administrative unit within an existing government agency. However, in the period since 1991 the creation of a single Department of Justice has meant that some of the administrative boundaries between the different sectors of the criminal justice system have been made less distinct. In addition, at least some statistical and research functions have been carried out by business units within the Department of Justice. The continued existence of the NSW and SA statistical and research bureaux might also be taken as evidence that this is a viable solution.

Ultimately, the establishment of a Bureau within an existing agency remains an unsatisfactory solution to the need for independent and expert information and advice. The information and comment provided by bodies like Crime Prevention Victoria are essentially a way of filling priority gaps in the need for information, not a genuine solution in their own right. The success of the NSW Bureau in being seen as an independent source of advice while operating as a business unit within the Attorney-General's Department is a consequence of its history and the integrity and reputation of its Directors and staff. The Legal and Constitutional Committee's conclusion that such an arrangement would be inconsistent with the need for a Bureau that would be independent of any existing agency interests still holds true.

Can these functions be carried out by a national agency?

There are currently two national agencies with responsibility for statistics and research in criminal justice. The Australian Institute of Criminology (AIC) has an extensive research program and collects statistical information both directly (for example, through its Homicide Monitoring Program and the Drug Use

Monitoring Program) and through coordination with state agencies. The National Centre for Crime and Justice Statistics within the Australian Bureau of Statistics has been established to collect and disseminate national statistics on crime, courts and corrections. The ABS also carries out some specialised research on criminal justice issues such as the statistical modelling of crime victimisation and reporting to police.

There are several reasons why neither of these agencies is able to satisfy the Victorian requirement for criminal justice information and analysis. The AIC has a strong focus on issues relating to Commonwealth law and justice policy priorities. Victorian interests and priorities may or may not be the same as these Commonwealth priorities. Moreover, the AIC is principally a distributor of statistical information that is collected by State and Territory agencies. If this data is of inadequate quality or scope, the AIC is poorly placed to do anything about these problems. It is arguable that the AIC best services State criminal justice interests when it is able to coordinate its work with State-level research and statistics agencies.

The ABS National Centre has a relatively narrow role in the collection of statistics, and provides relatively little policy-relevant analysis or commentary. In addition, the scope of the national statistics is governed by the overriding need for national comparability. For example, the national crime statistics include crime categories like Unauthorised Entry With Intent that do not correspond exactly with any state-level statutory definitions of burglary and break and enter offences. Rather, Unauthorised Entry With Intent represents a 'common denominator' offence category. Similarly, the category of Sexual Assault is a general category that includes the Victorian offence types of rape or indecent assault. The consequence of this kind of national approach is that the information produced is designed for comparisons between jurisdictions and not for the analysis of criminal justice patterns within jurisdictions.

A statutory versus a university-affiliation model

On balance, the Legal and Constitutional Committee considered that while there might be economic advantages arising from a university-affiliation model, the statutory model was nevertheless the most appropriate for a Victorian Bureau. Given the changes in University funding that have taken place since 1991, it is unclear whether there continue to be any economic advantages to a Bureau established as a university-affiliated body on the WA Crime Research Centre model. However, there are several reasons why a Bureau able to fulfil the core statistical functions outlined above would need to be established on a statutory base.

Criminal justice agencies collect information under the terms of their statutory duties and responsibilities, and are able to use this information in ways that are consistent with these duties and responsibilities. At the same time, they are subject to restrictions on the information they make available, in order to

protect the privacy of the individuals concerned. Enabling legislation for a Bureau would need to make provision for access to information in ways that assisted in the integration and interpretation of data without compromising privacy and confidentiality requirements.

The issue of independence is one that may need further consideration. A Bureau established under its own statute would be independent of agency interests and biases, but would not necessarily be independent of political pressure. One option would be to establish the Bureau as an agency reporting directly to Parliament in the same manner as the Auditor-General.

A further consideration is that a Bureau tasked with the coordination and integration of information across the criminal justice system could not rely wholly on the voluntary cooperation of all the agencies concerned. In order to fulfil this function, a Bureau would need to have appropriate powers to require the provision of information and the adoption of statistical standards by agencies. The Committee is therefore of the view that a statutory model for a Victorian Bureau continues to be the most appropriate basis for establishing such an agency. At the same time, the Committee believes that a Victorian Bureau should develop and maintain strong links with the academic community.

8. The Way Forward

Ten years ago the Legal and Constitutional Committee identified the need for a Bureau of Crime Statistics and Research in Victoria. The Drugs and Crime Prevention Committee is similarly of the view that the lack of such a body in the State constitutes a serious deficiency in out capacity to understand what happens in the criminal justice system and to formulate ways of responding to crime. In comparison with other States, Victorians lack access to detailed, accurate and independent information about many aspects of criminal justice. Crime statistics is a critical public interest issue and current arrangements for the production and dissemination of crime statistics are open to the perception of bias and do not satisfy best practice standards. The Committee believes that the case for a Victorian Bureau of Crime Statistics and Research has been clearly established.

Continuing concerns about the quality and accuracy of Victoria Police crime statistics only add weight to the argument for a Victorian Bureau. It must be stressed that an independent Bureau of Crime Statistics and Research in Victoria is not a substitute for accurate and comprehensive statistics collected by the police. The police are and will continue to be a major user of crime information for intelligence, resource allocation, performance assessment and a variety of other internal functions. Good statistics are as important to the police as they are to the government and the community. A Bureau of Crime Statistics and Research could play a key quality assurance role for crime statistics that would be of direct benefit to the police.

The Committee has identified a number of core functions that should be undertaken by a Bureau and recommends that it should be established as an independent agency with its own statutory base. However, there remain a number of issues that require further investigation and resolution. The 1991 Bill included provisions for an Advisory Committee and Board of Management for a Bureau. The specific details of these provisions are no longer appropriate, and need to be revised. The clause in the Bill allowing the Bureau to request data from other agencies needs to be more specific and make provision for the protection of privacy and confidentiality of information.

The 1991 Legal and Constitutional Committee reportdid not identify the size or budget for the proposed Bureau. A decision about establishing a new agency

must obviously include a proper analysis of the resources required for it to properly carry out its functions. Such a review would need to be based on a systematic review of the way that each of the functions of a Bureau would be carried out and the staffing and other resources required. The results of this review would in effect constitute a business plan for the first few years of the Bureau's operation.

The problem of comprehensive and accurate crime information is one that faces all Australian police forces. A major impediment to good quality data at both State and national level is the diversity in the computer systems used by police to record information about crime. There is a strong case for national IT standards for crime information generally and crime statistics in particular. This would require a review at national level through the Australasian Police Ministers' Council.

The Committee firmly believes that the best way of overcoming most of the issues canvassed in this report is via the establishment of an independent Bureau of Crime Statistics and Research that reports directly to the Parliament. The Committee also endorses the AIC's comments in regard to the LEAP system and supports its recommendations for enhancements and modifications to the LEAP system to meet contemporary international standards of data base integration, use of technology, and usefulness for both investigation and reporting. Finally, the Committee is of the view that the desirability of common national standards for crime data and common national IT systems should be a priority of the Australian Police Ministers' Council.

Appendix 1: Crime Statistics Data Sources

This report employs crime statistics from two different sources: the Australian Bureau of Statistics national crime statistics and the Victoria Police crime statistics. While both of these sets of statistics are concerned with the same fundamental concept of crime, there are important differences in the scope, definitions and counting rules employed in them. Readers need to be aware of these differences and appreciate how they impact on the numbers presented in the different sections of this Report.

Victoria's crime statistics are collected and collated by the Victoria Police and published each year under the title *Victoria Police – Crime Statistics*. These statistics collected by the police are also made available to the Australian Bureau of Statistics (ABS), who collate them together with similar statistics provided by the other Australian police forces. The resulting collection of national crime statistics are published annually by the ABS as *Recorded Crime –Australia* (ABS Catalogue 4510.0).

The ABS report provides comparable crime rates for all Australian jurisdictions, notwithstanding their different criminal legislation and the different crime recording and counting rules used by the various police forces. In order to provide comparisons which are as reliable as possible, the ABS report is restricted only to offences where inter-jurisdictional differences are minimal. The report therefore provides statistics under the nine major offence categories which are listed in the following Table to Appendix 1.

Using only these nine categories means that many of the offences reported to the Victoria Police are not included in the ABS reports. As Victoria Police explain in the recent publication of the 2001/2002 provisional statistics 'ABS national crime statistics include approximately 70% of all crime recorded' by the Victoria Police. (*Crime Statistics 2001/2002 Provisional*, 2002, p.2). This point is demonstrated in the Table which shows that 132,467 (30%) of the 440,835 offences included in the Victoria Police 2001/2002 report will not be included in the next ABS report.

Table to Appendix 1: Comparison of ABS and Victoria Police offence categories

Australian Bureau of Statistics	Victoria Police	
Major Offence Categories	**Corresponding Offence Categories**	**2001/2002 numbers**
Homicide and related offences	Homicide	218
Assault	Assault	25,177
Sexual assault	Rape, sex (non-rape)	7,105
Kidnapping/abduction	Abduction/kidnapping	365
Robbery	Robbery	3,765
Blackmail/extortion	Not separately recorded	0
Unlawful entry with intent	Burglary (aggravated),	
	burglary (residential), burglary (other)	77,049
Motor vehicle theft	Theft of motor vehicle	37,677
Other theft (1)	Theft from motor vehicle, theft (shopsteal),	
	theft of bicycle, theft (other)	157,012
TOTAL ABS	**SUB-TOTAL (ABS counting rules)**	**308,368**
	Arson	3,986
	Property damage	42,106
	Deception	29,363
	Handle stolen goods	8,736
	Drug offences	12,914
	'Other crime' (2)	35,362
	SUB-TOTAL	
	(Victoria Police counting rules)	132,467
	TOTAL	440,835

(1)   The ABS define 'other theft' as theft of motor vehicle parts or contents, theft from a person (excluding force), theft from retail premises, theft [not elsewhere classified], and illegal use of property

(2)   The Victoria Police define 'other crime' as comprising going equipped to steal, justice procedures, regulated public order, weapons/explosives, harassment, behaviour in public and other

The Table to Appendix 1 also shows that the majority of these 'excluded' offences are property related (63%). Another 10% relate to illegal drug matters, and the final 27% tend to be minor public order offences. Nevertheless they are all offences that would concern the average Victorian and it is important that they are recorded by the police.

Two other important considerations need to be noted when comparing ABS and Victoria Police crime statistics. The first is that the ABS report crime for calendar years while the Victoria Police use financial years as a basis. The second is that the Victoria Police use a sub-incident based counting rule while the ABS uses a principal offence counting rule.

Readers should also be aware that a range of definitional, classificatory, scope and counting rule issues need to be taken into account when interpreting crime statistics. These issues were discussed in detail in the Committee's first and fourth reports on crime trends, and readers are advised to refer to those publications for a full account of the nature and likely impact of those factors.

Appendix 2: Comparison between Victoria Police and Calculated LGA Crime Numbers and Rates

Appendix 2 compares the number of crimes reported in each Local Government Area using two different ways of determining the location of the offence. The first set of numbers and rates are based on crime statistics for the 2000/2001 year prepared by the Victoria Police using LGA-data determined from the Response Zone recorded by the police member completing the crime report. The second set of numbers and rates is calculated by the Committee using postcode-based data for the 2000/2001 year provided by the Victoria Police, converted to LGA-based data using the ABS 2001 concordance. Both the total number of crimes recorded in that LGA for the year, and the rate per 100,000 persons in the LGA are shown in the table. The "% difference" column shows the variation between these two estimates. A positive percentage occurs when the Victoria Police rate is higher than the Committee's calculated rate, while a negative percentage occurs when the Victoria Police rate is lower than the Committee's calculated rate.

| LGA | % difference between Police Rate and Calculated Rate | Victoria Police Statistics | | DCP Committee calculations | |
		Number of reported crimes	Total Crime Rate	Number of reported crimes	Total Crime Rate
CORANGAMITE	13.9%	833	4899.4	740	4218.1
GOLDEN PLAINS	13.6%	447	3087.2	404	2666.1
LODDON	11.9%	394	4547.0	344	4006.5
WEST WIMMERA	11.3%	123	2547.1	110	2259.9
STONNINGTON	10.9%	15,140	16357.3	13,304	14581.3
KINGSTON	9.2%	12,045	8905.7	10,887	8090.6
QUEENSCLIFFE	8.9%	212	6202.5	185	5652.8
BULOKE	8.0%	224	3082.0	207	2835.3
MACEDON RANGES	7.6%	2,536	6982.6	2,441	6451.7
HOBSONS BAY	7.0%	7,505	8981.4	7,003	8349.9
MELTON	7.0%	4,354	8629.7	4,269	8025.6
TOWONG	6.9%	321	5214.4	304	4854.2
GANNAWARRA	6.6%	590	4997.0	563	4665.6
SOUTH GIPPSLAND	6.3%	1,648	6456.4	1,586	6048.3
BASS COAST	6.1%	2,046	8828.5	2,128	8285.8
LA TROBE	5.9%	9,092	13140.3	8,772	12362.3
BRIMBANK	5.6%	16,475	10015.0	16,060	9455.8
MOUNT ALEXANDER	5.3%	1,071	6474.8	1,051	6134.7
CENTRAL GOLDFIELDS	5.1%	1,355	10764.2	1,331	10212.1
WHITTLESEA	5.1%	8,014	6918.0	7,765	6564.3
KNOX	5.0%	10,649	7300.2	10,257	6937.2

	Victoria Police Statistics			DCP Committee calculations	
LGA	% difference between Police Rate and Calculated Rate	Number of reported crimes	Total Crime Rate	Number of reported crimes	Total Crime Rate
SWAN HILL	4.9%	1,892	9115.9	1,855	8666.6
MARIBYRNONG	4.8%	11,475	18720.6	10,994	17828.8
MOORABOOL	4.6%	1,384	5719.7	1,370	5456.8
ALPINE	4.4%	675	5329.6	660	5097.2
WHITEHORSE	4.2%	10,115	6868.3	9,703	6583.0
PORT PHILLIP	3.9%	17,412	21353.9	16,821	20530.8
DELATITE	3.9%	1,494	7429.5	1,500	7143.4
ARARAT	3.5%	803	7094.9	802	6847.2
CARDINIA	2.8%	2,625	5727.2	2,631	5567.3
BANYULE	2.4%	8,537	7161.6	8,329	6990.2
MORNINGTON PENINSULA	2.2%	9,444	7421.4	9,633	7258.1
HUME	2.1%	11,751	8817.1	11,764	8633.6
GLENELG	2.0%	1,629	8201.2	1,632	8034.3
CAMPASPE	2.0%	2,696	7578.6	2,700	7426.0
HORSHAM	1.9%	1,442	7939.7	1,447	7785.6
WANGARATTA	1.9%	1,936	7474.0	1,949	7329.1
SOUTHERN GRAMPIANS	1.8%	1,035	6252.3	1,053	6138.9
GREATER BENDIGO	1.7%	6,370	7245.4	6,443	7118.7
GREATER GEELONG	1.6%	17,487	9154.6	17,551	9005.2
WELLINGTON	1.6%	3,636	8919.2	3,632	8776.9
MITCHELL	1.6%	1,808	6626.8	1,862	6523.6
MILDURA	1.5%	4,353	8967.5	4,354	8834.7
BALLARAT	1.4%	8,448	10304.8	8,510	10161.1
WODONGA	1.4%	2,489	7806.2	2,501	7698.9
MOIRA	1.2%	1,411	5361.6	1,426	5295.9
WARRNAMBOOL	1.2%	2,177	7517.3	2,200	7429.3
CASEY	1.0%	11,461	6552.5	11,802	6485.0
STRATHBOGIE	0.6%	547	5871.6	564	5838.6
GREATER SHEPPARTON	0.5%	5,727	10129.7	5,861	10077.7
COLAC-OTWAY	0.5%	1,211	5990.0	1,254	5961.3
INDIGO	0.3%	493	3439.4	503	3428.6
SURF COAST	0.3%	1,266	6350.6	1,325	6334.1
PYRENEES	-0.3%	409	6168.0	414	6189.3
GREATER DANDENONG	-0.4%	16,720	12684.5	16,358	12729.0
FRANKSTON	-0.5%	12,615	11103.0	12,774	11155.9
HINDMARSH	-0.6%	232	3597.5	236	3618.0
DAREBIN	-0.9%	15,818	12187.8	15,795	12301.0
YARRA RANGES	-1.3%	8,148	5695.3	8,261	5767.6
MANNINGHAM	-1.4%	4,817	4193.0	4,842	4251.0
EAST GIPPSLAND	-1.4%	3,677	9408.2	3,766	9542.2
WYNDHAM	-1.5%	6,481	7526.7	6,697	7641.2
HEPBURN	-1.8%	796	5644.6	831	5745.6
BAW BAW	-2.3%	2,654	7507.2	2,797	7683.4

	Victoria Police Statistics			DCP Committee calculations	
LGA	% difference between Police Rate and Calculated Rate	Number of reported crimes	Total Crime Rate	Number of reported crimes	Total Crime Rate
NORTHERN GRAMPIANS	-2.4%	1,120	8588.3	1,152	8790.6
MORELAND	-2.6%	11,113	8111.9	11,388	8319.1
MELBOURNE	-2.9%	42,688	82056.0	44,024	84470.6
YARRA	-4.1%	15,837	22804.1	16,517	23743.0
YARRIAMBIACK	-4.8%	269	3218.9	279	3374.4
MAROONDAH	-5.0%	7,240	7289.2	7,702	7654.1
MONASH	-5.8%	11,907	7279.5	12,559	7700.5
BOROONDARA	-6.1%	10,471	6556.6	11,013	6957.8
MOYNE	-9.4%	455	2850.0	491	3118.8
MOONEE VALLEY	-10.6%	10,579	9419.7	11,575	10422.8
MURRINDINDI	-11.4%	803	6182.6	940	6889.5
GLEN EIRA	-13.4%	8,083	6487.5	9,139	7357.0
BAYSIDE	-15.2%	5,699	6282.2	6,460	7234.7
NILLUMBIK	-16.9%	2,517	4184.1	2,974	4891.2
TOTAL	-0.4%	451,451	9472.6	453,324	9508.1

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Extracts from proceedings

The Minutes of the Proceedings of the Committee show the following Divisions which took place during the consideration of the Draft Report.

Monday, 28th October 2002

Chapter 6 - Page 58

Motion:

That all words in the paragraph after "It is not uncommon for police organisations not to release crime statistics. It is sometimes because of the political influences on policing. Sometimes politicians do not wish you to release crime statistics because they may make the state look more or less dangerous or more secure than it is" *[Minutes of Evidence 11th September 2001 - Chief Commissioner Nixon]* be deleted. *(Mr Mildenhall)*

Question: That the words proposed to be omitted stand part of the paragraph

The Committee divided

The result of the Division was:

Ayes: 3	*Noes: 3*
Hon. C. Boardman	Mr B. Mildenhall
Hon. R. Cooper	Hon. S. Nguyen
Mr H. Lupton	Mr R. Wynne

The votes for the ayes and noes being respectively 3, the Chairman exercised his casting vote with the ayes, and the question was resolved in the affirmative.

Chapter 6

Question: That Chapter 6 be agreed to

The Committee divided

The result of the Division was:

Ayes: 3	*Noes: 3*
Hon. C. Boardman	Mr B. Mildenhall
Hon. R. Cooper	Hon. S. Nguyen
Mr H. Lupton	Mr R. Wynne

The votes for the ayes and noes being respectively 3, the Chairman exercised his casting vote with the ayes, and the question was resolved in the affirmative.

Chapter 8 - page 69

Paragraph: The Committee firmly believes that the best way of overcoming most of the issues canvassed in this report is via the establishment of an independent bureau of statistics and research that reports directly to the Parliament.

Motion: That the words "that reports directly to the Parliament" be deleted. *(Mr Mildenhall)*

Question: That the words proposed to be omitted stand part of the paragraph

The Committee divided

The result of the Division was:

Ayes: 3	*Noes: 3*
Hon. C. Boardman	Mr B. Mildenhall
Hon. R. Cooper	Hon. S. Nguyen
Mr H. Lupton	Mr R. Wynne

The votes for the ayes and noes being respectively 3, the Chairman exercised his casting vote with the ayes, and the question was resolved in the affirmative.

Chapter 8

Question: That Chapter 8 be agreed to

The Committee divided on the question:

The result of the Division was:

Ayes: 3	*Noes: 3*
Hon. C. Boardman	Mr B. Mildenhall
Hon. R. Cooper	Hon. S. Nguyen
Mr H. Lupton	Mr R.Wynne

The votes for the ayes and noes being respectively 3, the Chairman exercised his casting vote with the ayes, and the question was resolved in the affirmative.

Recommendations

Recommendation 1

"That a Bureau of Crime Statistics and Research be established in Victoria as an independent statutory agency that reports directly to the Parliament."

Motion: That all the words after "That" be deleted with a view to insert the words "the Committee agree in principle to the establishment of an independent Victorian Bureau of Crime Statistics and Research." *(Mr Mildenhall)*

Question: That the words proposed to be omitted stand part of the recommendation

The Committee divided

The result of the Division was:

Ayes: 3   *Noes: 3*

Hon. C. Boardman   Mr B. Mildenhall

Hon. R. Cooper   Hon. S. Nguyen

Mr H. Lupton   Mr R. Wynne

The votes for the ayes and noes being respectively 3, the Chairman exercised his casting vote with the ayes, and the question was resolved in the affirmative.

Recommendation 2

"That the functions of this Bureau should include:

- ◆ Establishing system-wide statistical standards and coordinating the collection of criminal justice statistics by criminal justice agencies;

- ◆ Collecting and publishing criminal justice statistics on specific topics and on a system-wide, integrated basis, with particular emphasis on:
    - ▪ The commissioning and analysis of a regular state victimisation survey;
    - ▪ The re-establishment of higher court caseflow and sentencing statistics

- ◆ Monitoring changing patterns of criminality and the impact of those changes on the criminal justice system;

- ◆ Disseminating criminal justice information to Parliament, government agencies and the community;

- ◆ Monitoring the implementation of important criminal justice initiatives;

- ◆ Undertaking research on criminal justice matters."

Motion: That the words "in principle" be inserted after the word "That"
             (Mr Mildenhall)

Question: That the words proposed to be inserted be inserted

The Committee divided

The result of the Division was:

Ayes: 3   *Noes: 3*

Mr B. Mildenhall   Hon. C. Boardman

Hon. S. Nguyen   Hon. R. Cooper

Mr R. Wynne   Mr H. Lupton

The votes for the ayes and noes being respectively 3, the Chairman exercised his casting vote with the noes, and the question was passed in the negative.

Adoption of Chairman's Report

Question: That the Chairman's draft report, as amended, be the report of the Committee

The Committee divided

The result of the Division was:

Ayes: 3	Noes: 3
Hon. C. Boardman	Mr B. Mildenhall
Hon. R. Cooper	Hon. S. Nguyen
Mr H. Lupton	Mr R. Wynne

The votes for the ayes and noes being respectively 3, the Chairman exercised his casting vote with the ayes, and the question was resolved in the affirmative.

Minority Report

Persuant to Section 4N (4) of the Parliamentary Committees Act 1968

We:

Mr Bruce Mildenhall, M.L.A. (Deputy Chair)
Hon. Sang Minh Nguyen, M.L.C.
Mr Richard Wynne, M.L.A.

Submit this minority report in response to the inquiry into Crime Trends Fifth Report by the Drugs and Crime Prevention Committee of the Parliament of Victoria.

The abovementioned members oppose the adoption of the Drugs and Crime Prevention Committee's report: Inquiry into Crime Trends: Fifth Report.

The Government members have voted :

- Against the inclusion of a particular quote on page 64 in chapter 6 of the Report

- To oppose Recommendations 1 & 2 and propose amendments to those Recommendations

- To oppose Recommendation 3

- To oppose the adoption of the Report

Quote on p.58

The above mentioned Government members of the Committee argue against the inclusion of part of the following quote attributed to the Chief Commissioner of Police Ms Christine Nixon. We argue the section in italics should not be included in the report.

> **It is not uncommon for police organizations not to release crime statistics. It is sometimes because of the political influences on policing. Sometimes politicians do not wish you to release crime statistics because they make the state look more or less dangerous or more secure than it is.** *I have certainly been subjected to that. The process of keeping crime statistics secret is quite common. Whether or not Victorian Police did it for reasons*

> *of wanting to protect the information I cannot say, but it is a common*
> *practice in policing and it is a common practice in politics to encourage*
> *police to not release that information.*

We contend the quote that has been included does not fully reflect the Chief Commissioners evidence. The Chief Commissioner was continuing remarks relating to her experience in New South Wales to the challenges in Victoria when she made the remarks above. Ms Nixon had commenced duties less than six months prior to the interview with the Committee.

Ms Nixon clarified her remarks with the following comment which was not included in the Committee's Report.

> **In this state I released the crime statistics, with the minister's knowledge**
> **but not interference in any way at all.**

It is therefore clearly inappropriate for the Committee's report to retain the particular part of the transcript in dispute, in that it creates a false and misleading impression of the Chief Commissioner's views as demonstrated by examination of the remainder of the transcript of the interview.

Recommendations

Government members sought to amend or oppose a number of the Recommendations in the report.

Recommendation 1

The Government members of the Committee oppose Recommendation 1, which reads as follows:

1. That a Bureau of Crime Statistics and Research be established in Victoria as an independent statutory agency reporting directly to Parliament.

We sought to amend it to the effect that it recommends **in principle** the establishment of an independent Bureau of Crime Statistics and Research.

The Government members believe it is sufficient to indicate a preference for an independent body without the detail of a legislative base or reporting details. Chapter 7 of the report outlines the range of models of bodies responsible for crime statistics in other Australian jurisdictions. None of the existing models currently used in Australia are structured in the way outlined in Recommendation 1 and there is no argument provided as to why either the existing alternatives are inadequate or why Recommendation 1 would be a superior model.

Recommendation 2

Government members also oppose Recommendation 2 in its current form (below) and seek to provide that it apply **in principle**

2. That the functions of this Bureau should include:

- Establishing system-wide statistical standards and coordinating the collection of criminal justice statistics by criminal justice agencies;
- Collecting and publishing criminal justice statistics on specific topics and on a system-wide, integrated basis, with particular emphasis on:
  - The commissioning and analysis of a regular state victimisation survey;
  - The re-establishment of higher court caseflow and sentencing statistics
- Monitoring changing patterns of criminality and the impact of those changes on the criminal justice system;
- Disseminating criminal justice information to Parliament, government agencies and the community;
- Monitoring the implementation of important criminal justice initiatives;
- Undertaking research on criminal justice matters.

Government members believe it is premature to specify the detailed role of the proposed body at this stage, particularly in the light of the number of existing agencies with similar or overlapping functions. It is also not within the terms of reference of the Committee's inquiry to report on sentencing and other court statistics. It is more appropriate that a number of in principle functions be initially identified, subject to further clarification and consolidation over time.

Recommendation 3

3. That a further review be undertaken to determine the legislative mechanisms required to establish a Bureau of Crime Statistics and Research on this model, its organisational structure and funding base.

Government members of the Committee opposed Recommendation 3 as unnecessary, and inconsistent with other recommendations in the report. The structure and legislative background of the Bureau have already been proposed in Recommendation 1.