

**AUSTRALIAN CRIMINOLOGY, PUBLIC POLICY AND
THE FOURTH ESTATE:
A VIEW FROM OUTSIDE THE ACADEMY**

DON WEATHERBURN¹.

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INTRODUCTION

TEN YEARS AGO JOHN BRAITHWAITE LAMENTED THE LACK OF INFLUENCE WHICH, HE SAID, CRIMINOLOGY HAD ON PUBLIC POLICY. AS HE PUT IT:

‘...THE PRESENT STATE OF CRIMINOLOGY IS ONE OF ABJECT FAILURE IN ITS OWN TERMS.

WE CANNOT SAY ANYTHING CONVINCING TO THE COMMUNITY ABOUT THE CAUSES OF CRIME;

WE CANNOT PRESCRIBE POLICIES THAT WILL WORK TO REDUCE CRIME;

WE CANNOT IN ALL HONESTY SAY THAT SOCIETIES SPENDING MORE ON CRIMINOLOGICAL RESEARCH GET BETTER CRIMINAL JUSTICE POLICIES THAN THOSE WHICH SPEND LITTLE OR NOTHING ON CRIMINOLOGY.’ (BRAITHWAITE 1989, p. 133).

EVENTS HAVE PROVED JOHN WRONG IN AT LEAST ONE RESPECT. HIS THEORY OF REINTEGRATIVE SHAMING HAS PROVED ENORMOUSLY INFLUENTIAL IN MOBILISING PUBLIC AND POLITICAL SUPPORT FOR RESTORATIVE JUSTICE, BOTH HERE IN AUSTRALIA AND OVERSEAS. AND YET IN AUSTRALIA HIS LAMENT REMAINS MORE TRUE TODAY THAN IT IS FALSE.

THERE’S NO DOUBT CRIMINOLOGY HAS MOVED ON. WE NOW HAVE A BETTER UNDERSTANDING OF THE CAUSES OF CRIME AND WHAT CAN BE DONE TO PREVENT IT THAN WE HAD TEN YEARS AGO. AND YET THE FACT IS THAT AUSTRALIAN CRIMINOLOGICAL INFLUENCE ON LAW AND ORDER POLICY REMAINS WEAKER THAN IT SHOULD BE.

THE GALLING THING ABOUT THIS IS THAT OTHER SOCIAL SCIENCES, SUCH AS ECONOMICS, EXERT FAR MORE INFLUENCE ON POLICY DESPITE IN SOME WAYS RESTING ON MUCH MORE INSECURE EMPIRICAL FOUNDATIONS.

WELL WHY DOES CRIMINOLOGY HAVE LESS INFLUENCE ON PUBLIC POLICY THAN IT SHOULD?

THE PUBLIC AND CRIME POLICY

WE CAN GET SOME DISTANCE ANSWERING THIS QUESTION BY ASKING WHAT LIMITS OUR INFLUENCE ON PUBLIC OPINION ABOUT CRIME.

ONE OBVIOUS EXPLANATION FOR OUR LACK OF INFLUENCE IS THAT CRIMINOLOGISTS MIGHT WANT A RATIONAL LAW AND ORDER POLICY, BUT THE PUBLIC JUST WANTS REVENGE. CRIME OFFENDS PEOPLE IN A PERSONAL WAY...

THE IDEAL OF RETRIBUTION IS INSTITUTIONALISED IN OUR LEGAL PROCESS...

THE RITUAL DENUNCIATION FROM THE BENCH, THE SENTENCE CALCULATED TO INFLICT A SUITABLE MEASURE OF SUFFERING...

THESE THINGS MIGHT ATTRACT PUBLIC SUPPORT BECAUSE THEY'RE SOMETIMES THOUGHT TO BE EFFECTIVE IN CONTROLLING CRIME...BUT THEIR REAL SELLING POINT IS THAT THEY MAKE PEOPLE FEEL BETTER WHEN THEIR RIGHTS HAVE BEEN TRAMPLED ON.

VIEWED IN THIS LIGHT CRIMINOLOGISTS ARE SELLING SOMETHING WHICH THOSE ENGAGED IN PUBLIC POLICY SIMPLY DON'T WANT TO BUY.

PUT BLUNTLY, CRIME CONTROL IS FINE BUT IT'S NOT TO BE HAD AT ANY PRICE.

IT'S CERTAINLY NOT TO BE HAD IF IT CONFLICTS WITH THE PUBLIC DEMAND FOR RETRIBUTION.

SO, ON THIS ACCOUNT, SINCE POLITICIANS ARE SLAVES TO PUBLIC OPINION AND POLITICIANS MAKE POLICY, CRIMINOLOGISTS ONLY EVER GET TO PLAY THE BRIDESMAID AT THE WEDDING OF PUBLIC OPINION AND POLICY...WE NEVER GET TO PLAY THE BRIDE.

THE MEDIA AND CRIME POLICY.

FOR SOME, OF COURSE, THIS EXPLANATION JUST PUTS THE CART BEFORE THE HORSE.

THERE ARE TWO POPULAR CANDIDATES FOR THE HORSE: THE MEDIA AND POLITICIANS.

MANY CRIMINOLOGISTS ARE DEEPLY ENAMoured OF THE IDEA THAT THE PUBLIC DESIRE FOR RETRIBUTION IS LARGELY MANUFACTURED BY THE MEDIA.

AFTER ALL, WITH TALK-BACK RADIO HOSTS APPARENTLY WILLING TO SELL THEIR OPINIONS AND NEWS PRODUCERS WHO ONLY CARE ABOUT RATINGS, LAW AND ORDER POLICY IS HOSTAGE TO SOME PRETTY POWERFUL INTERESTS.

YOU ALL KNOW THE FOUNDATION STONE OF AUSTRALIAN TV JOURNALISM IS THAT IF IT BLEEDS, IT LEADS.

THE MEDIA GIVE TWICE AS MUCH COVERAGE TO STORIES ABOUT RISING CRIME AS THEY GIVE TO STORIES ABOUT FALLING OR STABLE CRIME.

WE ALL KNOW THAT THE WAY THE MEDIA PRESENT THE FACTS ON CRIME HAS A BIG BEARING ON WHAT PEOPLE THINK SHOULD BE DONE ABOUT IT.

WE ALL KNOW HOW HARD IT IS TO HAVE A SENSIBLE PUBLIC DEBATE ABOUT CRIME AND JUSTICE POLICY WHEN YOU LIVE IN A PLACE (LIKE PERTH AND BRISBANE) WHERE THERE'S ONLY ONE MAJOR NEWSPAPER IN TOWN AND THAT NEWSPAPER MAKES A BLOOD SPORT OF ATTACKING ACADEMIC OPINION ON CRIME.

IT DOESN'T SEEM TO UNREASONABLE, THEN, TO SUPPOSE THAT MEDIA TREATMENT OF CRIME IS ONE OF THE REASONS WHY CRIMINOLOGICAL RESEARCH FAILS TO EXERT THE INFLUENCE IT SHOULD ON CRIME AND JUSTICE POLICY IN THIS COUNTRY.

ON THIS ACCOUNT, THEN, CRIMINOLOGISTS ARE NOT SO MUCH BRIDESMAIDS AT THE WEDDING OF PUBLIC OPINION AND POLICY.

WE'RE JESTERS AT THE COURT OF MEDIA MANIPULATION....THERE TO BE IGNORED OR TO PROVIDE LIGHT RELIEF FOR THE GUESTS.

POLITICIANS AND CRIME POLICY

THERE ARE THOSE, OF COURSE, WHO THINK EVEN THIS IS TOO SHALLOW A VIEW OF OUR INFLUENCE OR LACK OF IT. THEY MAINTAIN THAT THE REAL FOCUS OF ATTENTION SHOULD BE ON OUR POLITICIANS.

KATHERINE BECKETT, (BECKETT 1997) FOR ONE, HAS ARGUED THE SOMEWHAT SURPRISING THESIS THAT POLITICIANS **LEAD** PUBLIC OPINION ON CRIME RATHER THAN FOLLOWING IT.

THEY LEAD IT, SHE SAYS, WITH DISTINCTLY ULTERIOR MOTIVES.

YOU SEE, CRIMINOLOGICAL RECIPES FOR CRIME CONTROL FREQUENTLY CHALLENGE EXISTING POWER STRUCTURES OR RECEIVED POLITICAL WISDOM ABOUT THE OBLIGATIONS OF GOVERNMENT.

WHEN CRIMINOLOGISTS SAY CRIME CONTROL REQUIRES CONCERTED ACTION AGAINST SOCIAL INEQUALITY, OR RACISM OR THE OPPRESSION OF WOMEN OR THE ALIENATION OF PUBLIC SPACE OR THAT IT REQUIRES INCREASED INVESTMENT IN LABOUR MARKET PROGRAMS, THEY THREATEN POWERFUL POLITICAL INTERESTS AND STRONGLY HELD POLITICAL ASSUMPTIONS.

TO TAKE BECKETT'S EXAMPLE, THE PROVISION OF WELFARE TO COMBAT POVERTY CHALLENGES THE ORTHODOX CONSERVATIVE VIEW THAT PEOPLE ARE CREATURES OF THEIR OWN DESTINY.

LIKEWISE, TALK ABOUT THE NEED TO REDUCE THE CONTROL MEN EXERCISE OVER THE LIVES OF WOMEN CHALLENGES TRADITIONAL 'FAMILY VALUES'.

EXPECTING POLITICIANS TO SWALLOW THIS, SO THE ARGUMENT GOES, IS A BIT LIKE EXPECTING SOCRATES TO FEEL GOOD ABOUT DRINKING HEMLOCK.

SINCE THE EMPIRICAL EVIDENCE WHICH LINKS DISADVANTAGE OR GENDER OR YOUTH ALIENATION TO CRIME IS HARD TO REFUTE, THE BEST WAY TO UNDERMINE THE CASE FOR SOCIAL AND ECONOMIC REFORM IS TO DEMONISE OFFENDERS.

ON THIS ARGUMENT, OUR FAILURE AS CRIMINOLOGISTS DOESN'T STEM FROM ANY INSTINCTIVE ANTIPATHY THE PUBLIC HAS TOWARD OFFENDERS.

IT DOESN'T STEM FROM ANY ANTIPATHY ACQUIRED AS A RESULT OF MEDIA MANIPULATION.

IT STEMS FROM THE SIMPLE FACT THAT YOU CAN'T HAVE CRIME CONTROL WITHOUT SOCIAL, POLITICAL AND ECONOMIC REFORM.

CRIMINOLOGISTS, ON THIS ACCOUNT, ARE NOT TO BE COMPARED TO BRIDEMAIDS OR COURT JESTERS.

WE'RE NOBLE BUT TRAGICALLY DOOMED CRUSADERS STORMING THE CITY GATES OF POLITICAL, ECONOMIC AND SOCIAL POWER.

CRIMINOLOGISTS AND CRIME POLICY

TAKING CRIME SERIOUSLY

MANY OF YOU MUST SENSE, THOUGH, AS I DO, THAT THERE'S SOMETHING A LITTLE TOO SELF-SERVING IN ALL OF THIS.

IT'S NOT SO MUCH THAT THERE'S NO GRAIN OF TRUTH IN THE ARGUMENTS I'VE BEEN PUTTING. IN SOME CASES I THINK THERE'S MORE THAN A GRAIN OF TRUTH IN THEM.

IT'S JUST THAT IT'S JUST HARD TO BELIEVE THAT THERE ARE NOT MORE BANAL FACTORS AT WORK AS WELL...HARD TO BELIEVE THAT CRIMINOLOGISTS ARE IN NO WAY TO BLAME FOR THEIR LACK OF INFLUENCE ON PUBLIC POLICY.

TO PUT THE MATTER RHETORICALLY: CAN IT REALLY BE THAT WE'VE STRUGGLED HEROICALLY TO INFLUENCE PUBLIC POLICY BUT FAILED IN OUR EFFORTS ONLY BECAUSE THE PUBLIC ARE STUPID, THE MEDIA ARE GREEDY AND THE POLITICIANS ARE ALL TOO SELF-SERVING?

TO A SCEPTIC LIKE ME IT ALL SOUNDS A LITTLE TOO GOOD TO BE TRUE.

IN THE SECOND HALF OF THIS PAPER I WANT TO VENTURE INTO THE LION'S DEN AND SUGGEST THREE WAYS IN WHICH I THINK AUSTRALIAN CRIMINOLOGY HAS UNWITTINGLY CONTRIBUTED TO ITS OWN LACK OF INFLUENCE.

FIRSTLY, WE DON'T TAKE CRIME ANYWHERE NEAR SERIOUSLY ENOUGH.

HAVE YOU EVER NOTICED HOW RARE IT IS TO HEAR A CRIMINOLOGIST ON RADIO OR TV OR IN THE NEWSPAPERS SAYING HE OR SHE IS DEEPLY CONCERNED ABOUT RECENT TRENDS IN CRIME?

IN FACT HAVE YOU EVER NOTICED HOW LITTLE SCHOLARLY ATTENTION GETS PAID IN AUSTRALIA TO RECENT TRENDS IN CRIME OR DIFFERENCES BETWEEN JURISDICTIONS IN LEVELS OF CRIME?

IT'S NOT AS IF WE'VE GOT NOTHING TO WORRY ABOUT.

SURE OUR HOMICIDE RATE REMAINS MUCH LOWER THAN THAT OF THE U.S.

BUT THE LATEST NATIONAL CRIME VICTIM SURVEY DATA INDICATES THAT OUR ROBBERY, BURGLARY, MOTOR VEHICLE THEFT AND ASSAULT RATES ARE NOW HIGHER THAN THEY ARE IN THE US (AUSTRALIAN BUREAU OF STATISTICS 1999B, LANGAN AND FARRINGTON 1998).

THE NATIONAL UNIFORM CRIME DATA SHOW THAT AUSTRALIA HAS EXPERIENCED A 90 PER CENT INCREASE IN THE RECORDED RATE OF ARMED ROBBERY OVER THE LAST FIVE YEARS. THIS WHILE THE US ROBBERY RATE FELL SHARPLY.

IF INTERNATIONAL CRIME COMPARISONS ARE NOT YOUR CUP OF TEA, THERE ARE LARGE AND ENDURING DIFFERENCES BETWEEN AUSTRALIAN STATES AND TERRITORIES IN THE PREVALENCE OF CRIME.

LAST YEAR, NEARLY 15 PER CENT OF WESTERN AUSTRALIAN HOUSEHOLDS EXPERIENCED A BURGLARY, ATTEMPTED BURGLARY OR MOTOR VEHICLE THEFT.

THE VICTORIAN HOUSEHOLD VICTIMISATION RATE IN 1998 WAS HALF THIS FIGURE.

THE PERSONAL CRIME VICTIMISATION FIGURES ARE JUST AS STARTLING.

NEARLY 8 PER CENT OF ACT RESIDENTS EXPERIENCED SOME FORM OF PERSONAL CRIME IN 1998. IN VICTORIA THE PERSONAL CRIME VICTIMISATION RATE WAS, ONCE AGAIN, HALF THIS FIGURE.

THESE ARE NOT NEW DEVELOPMENTS.

TO A GREATER OR LESSER EXTENT THEY HAVE BEEN MIRRORED IN OUR NATIONAL UNIFORM CRIME DATA SINCE 1994.

THEY ARE SUBJECTS OF ENDURING INTEREST AND CONCERN TO POLICY MAKERS, AS ARE THE EXTRAORDINARY JURISDICTIONAL DIFFERENCES IN RATES OF CONTACT WITH THE CRIMINAL JUSTICE SYSTEM.

YOU'LL STRUGGLE IN VAIN, THOUGH, TO FIND A SINGLE ARTICLE IN JOURNALS SUCH AS THE ANZ JOURNAL OF CRIMINOLOGY OR CURRENT ISSUES IN CRIMINAL JUSTICE WHICH HAS ADDRESSED ITSELF TO THESE PROBLEMS.

WHEN OFFICIAL STATISTICS PAINT, AS THEY HAVE, A DISMAL PICTURE OF RECENT TRENDS IN CRIME ACROSS THE COUNTRY WE EITHER IGNORE THEM, DOWN-PLAY THEM OR SET ABOUT ANALYSING THE POLITICS BEHIND PUBLIC, MEDIA OR POLITICAL PREOCCUPATION WITH THEM.

PRESSED TO ADDRESS THE PROBLEM AT HAND, WE APPEAL TO THE STABILITY OF OUR HOMICIDE RATES OR INCREASED PUBLIC REPORTING OF CRIME OR THE SOCIAL CONSTRUCTION OF CRIME STATISTICS AS PROOF THAT THERE'S NOTHING TO WORRY ABOUT OR, AT LEAST THAT THERE'S MUCH LESS TO WORRY ABOUT THAN EVERYONE SEEMS TO THINK (HOGG AND BROWN 1998).

SOMETIMES IT SEEMS AS IF CRIME TRENDS ONLY GET TAKEN SERIOUSLY WHEN THEY CAN BE USED TO CLOBBER A GOVERNMENT ENGAGED IN TOUGH LAW AND ORDER POLICIES.

NOW SET ASIDE THE QUESTION OF WHETHER THIS REACTION IS JUSTIFIED AND LET'S PRETEND, JUST FOR A SECOND, THAT WE'RE ALL POST-MODERNISTS. LOOK AT THE SYMBOLISM IN ALL OF THIS.

THE PUBLIC CONSISTENTLY RATE VIOLENT CRIME AT OR NEAR THE TOP OF THEIR CONCERNS. LAW AND ORDER POLICY IS THE PRINCIPAL ELECTORAL BATTLEGROUND ON WHICH MOST STATE ELECTIONS ARE FOUGHT. THE ANNUAL RELEASE OF CRIME STATISTICS RELIABLY PROVOKES A MEDIA FEEDING FRENZY.

YET, LIKE SUBMARINES, WE RIG FOR SILENT RUNNING WHEN CRIME FIGURES GO UP, SURFACING FOR PUBLIC DEBATE ONLY TO CLAIM THAT PUBLIC CONCERN ABOUT CRIME IS UNWARRANTED OR JUST A MEDIA AND POLITICAL BEAT-UP.

THIS SORT OF HEAD-IN-THE-SAND APPROACH TO CRIME IS HARDLY CALCULATED TO MAKE US THE FIRST PORT OF CALL IN A STORM ABOUT LAW AND ORDER POLICY.

YOU WOULDN'T FIND AN ECONOMIST IGNORING A 90 PER CENT INCREASE IN UNEMPLOYMENT OVER FIVE YEARS. YOU DON'T FIND THEM TALKING ABOUT THE SOCIAL CONSTRUCTION OF UNEMPLOYMENT STATISTICS WHEN THE JOBLESS RATE RISES. YET UNEMPLOYMENT IS NO MORE OR LESS A SOCIAL CONSTRUCTION THAN BEING KING-HIT IN THE FACE FOR YOUR WALLET.

AS SAMUEL JOHNSON ONCE FAMOUSLY REMARKED OF PHILOSOPHERS WHO THOUGHT THE EXTERNAL WORLD WAS JUST A SOCIAL CONSTRUCTION: THEY SHOULD TRY KICKING A ROCK AND SEE HOW IT FEELS.

THERE'S SOMETHING PERVERSE IN OUR DETERMINATION NOT TO TAKE CRIME VICTIMISATION TOO SERIOUSLY. CONFRONTED WITH PERSISTENTLY BAD ECONOMIC DATA ECONOMISTS FLOG THE GOVERNMENT OF THE DAY FOR ITS ECONOMIC POLICIES AND PUT FORWARD CREDIBLE ALTERNATIVES.

IF CRIMINOLOGISTS DID LIKEWISE MORE FREQUENTLY IN AUSTRALIA, I SUSPECT OUR INFLUENCE ON PUBLIC POLICY WOULD RISE IMMEASURABLY.

FACING THE NEED FOR SHORT-TERM CRIME CONTROL OPTIONS

SCEPTICISM ABOUT THE MEANING AND SIGNIFICANCE OF CRIME TRENDS BREEDS A SECOND PROBLEM WHICH LIMITS OUR INFLUENCE.

TO THE EXTENT THAT WE'RE INTERESTED IN PREVENTION WE'VE TENDED HISTORICALLY TO FAVOUR LONG-TERM STRUCTURAL SOLUTIONS OVER SHORT-TERM ONES.

WE DON'T MIND TALKING ABOUT THE NEED TO REDUCE SOCIAL INEQUALITY, YOUTH ALIENATION, RACISM OR MISOGYNY. THE COMFORT ZONE GETS A BIT STRETCHED WHEN THE TALK TURNS TO PARENTING. YOU CAN PRACTICALLY HEAR IT CRACKING WHEN THE TALK TURNS TO POLICE.

WE DON'T SEEM TO HAVE THE INTEREST IN OR PRAGMATIC APPROACH TO CRIME CONTROL THE AMERICANS HAVE ALWAYS HAD, AND THE BRITISH OVER THE LAST TEN YEARS SEEM TO HAVE ACQUIRED.

THE CLOSEST WE COME IS IN THE DOMAIN OF VIOLENCE AGAINST WOMEN AND CHILDREN, WHICH TO THE CREDIT OF FEMINISTS WE TAKE VERY SERIOUSLY AND WHERE THERE IS NEAR-UNIVERSAL AGREEMENT THAT POLICING AND PROSECUTION HAVE AN IMPORTANT ROLE TO PLAY.

OUTSIDE OF THIS DOMAIN, THOUGH, THERE SEEMS TO BE A RELUCTANCE TO ADMIT THAT POLICING MIGHT SOMETIMES BE VERY EFFECTIVE IN REDUCING CRIME.

WHEN I RAISED THE POSSIBILITY IN JUNE THIS YEAR THAT POLICE MIGHT HAVE CONTRIBUTED TO A SLOWING OF CRIME IN NSW, BY TARGETING REPEAT OFFENDERS, I RECEIVED A CURT EMAIL REMINDING ME ABOUT THE KANSAS CITY PATROL EXPERIMENT.... MY CORRESPONDENT SEEMED QUITE OBLIVIOUS TO THE FACT THAT THINGS HAVE MOVED ON A LITTLE SINCE THAT TIME.

AGGRESSIVE POLICING OF CRIME HOT SPOTS, WEAPON CONFISCATION AND THE TARGETED ARREST OF REPEAT OFFENDERS HAVE ALL BEEN SHOWN TO REDUCE CRIME, AT LEAST IN THE SHORT-TERM.

GIVEN THE EVIDENCE ON POLICING I THINK IT'S DISINGENUOUS TO WRING OUR HANDS ABOUT THE POLITICS OF LAW AND ORDER AND PRETEND THAT POLITICAL DEMANDS FOR SHORT-TERM CRIME CONTROL OPTIONS ARE UNREASONABLE.

OF COURSE, FOR SOME, THE PROBLEM WITH THE SHORT-TERM OPTIONS FOR CRIME CONTROL, PARTICULARLY THOSE INVOLVING THE POLICE, IS NOT THAT THEY DON'T WORK BUT THAT THEY POSE A THREAT TO CIVIL LIBERTY AND SOCIAL HARMONY.

THERE'S NO DOUBT THAT SOME POLICING STRATEGIES WHICH ARE EFFECTIVE IN REDUCING CRIME DO RAISE SIGNIFICANT ISSUES OF CIVIL LIBERTY. THESE OUGHT NOT TO BE IGNORED. BUT THE MERE POSSIBILITY THAT A POLICING STRATEGY MIGHT POSE A THREAT TO CIVIL LIBERTIES, OUGHT NOT TO DISQUALIFY IT FROM FURTHER CONSIDERATION.

WHEN WE WALK AWAY FROM AN OPPORTUNITY TO REDUCE SERIOUS CRIME BECAUSE WE'RE CONCERNED ABOUT THE RIGHTS OF ALLEGED OFFENDERS, WE ALSO WALK AWAY FROM AN OPPORTUNITY TO PROTECT THE CIVIL RIGHTS OF POTENTIAL VICTIMS.

THE FACT IS THAT SHORT-TERM CRIME CONTROL SOMETIMES REQUIRES HARD CHOICES, AS WE'VE FOUND WITH RANDOM BREATH TESTING, AS WE'VE FOUND WITH APPREHENDED VIOLENCE ORDERS AND AS WE'RE NOW FINDING WITH SEARCH AND CONFISCATION POWERS FOR KNIVES IN NSW.

IF WE HAVE A STRATEGY WHICH CAN REDUCE CRIME, BUT NOT WITHOUT POSING A THREAT TO CIVIL LIBERTY, WE OUGHT TO BE LOOKING AT WHETHER WE CAN MINIMISE THAT THREAT, RATHER THAN SIMPLY THROWING THE CRIME CONTROL STRATEGY OUT WITH THE THREAT-TO-CIVIL-LIBERTY BATH-WATER.

I'M NOT SUGGESTING FOR A MOMENT THAT WE ABANDON THE EMPHASIS ON LONG-TERM STRUCTURAL CHANGE AS FUNDAMENTAL TO TACKLING THE UNDERLYING CAUSES OF CRIME.

THE POLITICAL PROCESS, THOUGH, IS LIKE A TRAIN RUSHING THROUGH A STATION. YOU CAN GET PLENTY OF BAGGAGE ON BOARD...BUT FIRST YOU HAVE TO STOP THE TRAIN.

POLITICAL TRAINS DON'T OFTEN STOP ON THE PROMISE OF A REWARD TOMORROW, EVEN IF THEY SHOULD. THEY STOP MUCH MORE READILY ON THE PROMISE OF A REWARD TODAY.

IT MAY JUST BE THAT ONCE WE GET OUR FOOT IN THE DOOR ON SHORT-TERM OPTIONS FOR CONTROLLING CRIME WE MIGHT A BETTER HEARING ON OUR CLAIMS FOR STRUCTURAL REFORM.

ENHANCING OUR INFLUENCE ON GOVERNMENT

THIS BRINGS ME TO THE THIRD PROBLEM: THAT OF GETTING GOVERNMENTS TO MAKE GREATER USE OF OUR KNOWLEDGE AND SKILLS.

THERE WAS A TIME NOT LONG AGO WHEN THIS WOULD HAVE SEEMED AN ANATHEMA TO ACADEMIC CRIMINOLOGISTS. PERHAPS FOR MANY IT STILL IS. 'WHO CARES WHETHER GOVERNMENT USES OUR KNOWLEDGE OR SKILLS' YOU MIGHT SAY. 'I'M HERE IN THE PURSUIT OF KNOWLEDGE, NOT POLITICAL INFLUENCE'.

WELL, FOR BETTER OR FOR WORSE, IN AUSTRALIA THIS VIEW IS GETTING INCREASINGLY HARD TO SUSTAIN. FUNDING FOR RESEARCH NOW INCREASINGLY DEPENDS UPON ITS PERCEIVED RELEVANCE AND PUBLIC UTILITY.

I DON'T MIND TELLING YOU THAT, PERSONALLY, I THINK THE WHOLE DEMAND FOR IMMEDIATE RELEVANCE IS GETTING RIGHT OUT OF HAND. BUT THE DEMAND FOR RELEVANCE AND PRACTICALITY SHOULD NOT BE TOO BIG AN IMPOSITION ON CRIMINOLOGY. IT IS, AFTER ALL, A DISCIPLINE OF INTRINSIC PRACTICAL VALUE.

WHY, THEN, IS THE RELATIONSHIP BETWEEN GOVERNMENT AND AUSTRALIAN ACADEMIC CRIMINOLOGY SO OFTEN FRAUGHT WITH TENSION? WHY DO SOME PERFECTLY GOOD ACADEMIC CRIMINOLOGISTS SHOW LITTLE DESIRE TO GET INVOLVED IN GOVERNMENT WORK?

PART OF THE REASON IS A JUSTIFIABLE CONCERN ABOUT LOSS OF INDEPENDENCE. FROM TIME TO TIME, GOVERNMENTS TRY TO LIMIT THE FREEDOM OF RESEARCHERS TO REACH CONCLUSIONS BASED ON EVIDENCE AND RIGOROUS ARGUMENT. SINCE THIS IS THE DEFINING FEATURE OF SCHOLARSHIP IT'S EASY TO UNDERSTAND WHY SCHOLARS ARE SOMETIMES RELUCTANT TO GET IN BED WITH GOVERNMENT.

ANOTHER UNDERSTANDABLE, IF MORE PROSAIC CONCERN IS THE INCOMPETENCE OF SOME PUBLIC OFFICIALS IN FRAMING TENDER DOCUMENTS FOR POLICY RESEARCH. MANY DON'T UNDERSTAND WHERE THEIR JOB ENDS AND THE RESEARCHER'S BEGINS.

RESEARCH OR EVALUATION TENDERS SOMETIMES NOT ONLY STIPULATE THE GOAL OF RESEARCH OR THE QUESTIONS BEING ASKED. THEY TRY TO SET DOWN THE MEANS OF ACCOMPLISHING THE GOAL OR ANSWERING THE RESEARCH QUESTIONS.

NO DECENT RESEARCHER WOULD TOLERATE THIS STATE OF AFFAIRS. NOR SHOULD HE OR SHE BE EXPECTED TO DO SO.

YET ANOTHER IMPORTANT PROBLEM IS THE STRUCTURE OF OUR RESEARCH GRANTS SYSTEM. GOVERNMENT GRANTS FOR RESEARCH PROVIDE FAR LESS INFRASTRUCTURE SUPPORT TO UNIVERSITIES THAN GRANTS THROUGH THE ARC OR NH & MRC SYSTEM.

SO WHILE ACADEMICS CAN GREATLY BOOST THEIR INCOME BY TAKING GOVERNMENT CONTRACTS THEY GET FEW BROWNIE POINTS AS FAR AS THE UNIVERSITY IS CONCERNED.

THIS IS A TRAGIC OUTCOME FROM THE VANTAGE-POINT OF IMPROVING LAW AND ORDER POLICY BECAUSE IT PITS SCHOLARSHIP AGAINST PROMOTION AND REMUNERATION.

BUT NOT ALL OF THE RELUCTANCE OF ACADEMIC RESEARCHERS TO GET INVOLVED IN GOVERNMENT-SPONSORED RESEARCH CAN BE PUT DOWN TO THESE SORTS OF FACTORS.

I THINK WE OUGHT TO BE HONEST WITH OURSELVES ABOUT THIS. SOME CONFUSE ACADEMIC FREEDOM WITH THE FREEDOM TO CHANGE THE QUESTION OR QUESTIONS

BEING ASKED BY GOVERNMENT. SOME RESENT THE CONSTRAINTS OF DELIVERING RESEARCH WITHIN AN AGREED TIME-FRAME OR AN AGREED BUDGET. SOME RESENT BEING ASKED TO ADVISE ON MATTERS OF FACT RATHER THAN ON POLICY. OTHERS CONFUSE EDITORIAL FEEDBACK WITH POLITICAL INTERFERENCE.

NONE OF *THESE* CONCERNS ARE LEGITIMATE. TO PRETEND OTHERWISE ONLY SERVES TO HAMPER THE DEVELOPMENT OF A PRODUCTIVE PARTNERSHIP BETWEEN GOVERNMENT AND RESEARCHERS.

ENHANCING THE INFLUENCE OF CRIMINOLOGY ON PUBLIC POLICY.

SO HOW DO WE ADDRESS THESE PROBLEMS?

LET ME BEGIN WITH A PARABLE. A FEW YEARS AGO A SENIOR GOVERNMENT MINISTER, WHO SHALL REMAIN NAMELESS, RANG ME UP AND INVITED ME UP TO HIS OFFICE FOR A CUP OF TEA. HE WANTED MY ADVICE, HE SAID, ON HOW TO GET THE CRIME RATE DOWN.

DON'T GET ME WRONG. THIS DOESN'T HAPPEN VERY OFTEN.

HISTORY RECORDS THAT ON THE APPOINTED DAY I HAD NO INFLUENCE AT ALL. SURE, I HAD MY CHARTS AND NOTES LAID OUT AND I PUT FORWARD SHORT AND LONG-TERM OPTIONS FOR CONTROLLING CRIME. I WAXED LYRICAL ABOUT THE SCOPE FOR CONTROLLING CRIME WITHOUT RELIANCE ON TOUGHER PENALTIES AND MORE POLICE.

AND THE MINISTER LISTENED INTENTLY...HE REALLY DID...HIS MINDERS TOOK COPIOUS NOTES AND WHISPERED FURTIVE ADVICE IN HIS EAR AS I SPOKE. LITTLE DID I REALISE AT THE TIME WHAT A BAD SIGN THIS WAS. I THOUGHT I WAS MAKING HEADWAY.

AT THE END OF IT ALL, THOUGH, TO MY AMAZEMENT, HE LEANED BACK IN HIS CHAIR AND ASKED ME WAS WHAT THOUGHT THE MORAL TALE WAS IN THE CLINT EASTWOOD MOVIE 'DIRTY HARRY'.

NOT LONG AFTER THAT WE GOT ANOTHER ROUND OF LAW AND ORDER POLITICS.

WHAT'S THE POINT OF THIS STORY? WELL THE POINT IS THAT THERE'S MORE TO THE BUSINESS OF INFLUENCING POLICY THAN LAYING DOWN GOOD IDEAS AND EVIDENCE IN FRONT OF AN INTELLIGENT POLITICIAN.

COMPETITION FOR INFLUENCE ON POLICY IN A DEMOCRACY IS A FEROCIOUS AFFAIR, ESPECIALLY WITHIN THE BUREAUCRACY. ON THE DAY IN QUESTION THE MINDERS WON THE BATTLE FOR SUPREMACY.

BUT IF WE WANT TO MAXIMISE THE INFLUENCE OF CRIMINOLOGY ON PUBLIC POLICY WE HAVE TO BE PREPARED TO DO BATTLE WITH CHARLATANS AND SNAKE-OIL SALESMEN. WE HAVE TO BE PREPARED TO COMPETE WITH ALL THE MINDERS, ADVOCATES AND BEGGARS WHO LINE UP BEFORE GOVERNMENT TO PLEAD THEIR CAUSE.

IT'S NO USE EXPECTING THE SWEET VOICE OF REASON AND EVIDENCE TO DROWN OUT EVERYTHING ELSE.

THIS MEANS TWO THINGS. FIRSTLY, IT MEANS ENGAGING THE MEDIA AND GETTING ACTIVELY INVOLVED IN PUBLIC DEBATE ABOUT CRIME AND CRIMINAL JUSTICE ISSUES. NOT WITH A VIEW JUST TO EXPOSING ALL THE CANT AND HYPOCRISY WHICH SURROUNDS US...BUT WITH A VIEW TO PUTTING FORWARD CREDIBLE ALTERNATIVES TO CURRENT POLICY AND PRACTICE.

NATURE AND THE MEDIA ABHOR A VACUUM. IF WE, AS RESEARCHERS, DON'T INFORM PUBLIC DEBATE ABOUT POLICY IT WILL BE LEFT TO THOSE LESS CONCERNED ABOUT EVIDENCE AND MORE CONCERNED TO FURTHER THEIR OWN SELF-INTEREST.

NOW SOME OF YOU WILL SAY IT'S A FRUITLESS EXERCISE TALKING TO THE MEDIA OR ONE IN WHICH THE COMPLEXITIES OF THE WORLD, AS REVEALED BY RESEARCH, ARE TRANSFORMED INTO GROTESQUELY SIMPLE PLATITUDES.

RESHAPING PUBLIC OPINION, THOUGH, IS NOT LIKE CONDUCTING MICRO-SURGERY OR A SYMPHONY ORCHESTRA. IT'S MORE LIKE BIOLOGICAL PEST CONTROL. YOU SET THE CALICIVIRUS OF EVIDENCE AFTER THE RABBIT OF FALSE ASSUMPTION AND YOU HOPE THE MEDIA DON'T MAKE THE VIRUS MUTATE INTO SOMETHING FAR WORSE THAN THE RABBIT.

YOU CAN LIMIT THE RISK OF THIS HAPPENING BY KEEPING YOUR MESSAGE COMPLICATED, OBSCURE AND SUBTLE, OR BY NOT TALKING TO THE MEDIA AT ALL. BUT YOU CAN'T EXPECT TO DO THIS AND STILL REDUCE THE POPULATION OF FALSE AND MISLEADING RABBITS.

THE SECOND THING WE NEED TO DO IS TO GET MORE ACTIVELY INVOLVED IN POLICY EVALUATION, NOTWITHSTANDING ALL ITS RISKS AND PITFALLS.

TEN YEARS AGO, IN NSW, EVALUATION IN THE CRIMINAL JUSTICE AREA WAS SOMETHING GOVERNMENTS PROMISED TO GET A CONTROVERSIAL PIECE OF LEGISLATION THROUGH THE PARLIAMENT. THESE DAYS AUSTRALIAN GOVERNMENTS ARE FAR MORE INCLINED TO TRY AND GET THEIR LAW AND ORDER AND CRIMINAL JUSTICE POLICIES PROPERLY EVALUATED.

AS A COMMUNITY OF SCHOLARS WE NEED TO RISE TO THIS CHALLENGE, EVEN IF ALONG THE WAY IT MEANS LAYING DOWN A FEW GROUND RULES ABOUT WHAT OBJECTIVE AND INDEPENDENT EVALUATION REALLY MEANS.

SO LET ME CUT TO THE CHASE OF THIS SESSION, THEN: WHERE WILL WE BE IN THE YEAR 2020? WELL IF BILL GATES HAS HIS WAY THESE CONFERENCES WILL HAVE GIVEN WAY TO CRYPTIC AND ANTISEPTIC EXCHANGES ON THE INTERNET.

ALL THE SAME, I THINK THERE *IS* AMPLE CAUSE FOR OPTIMISM ABOUT THE FUTURE OF AUSTRALIAN CRIMINOLOGY.

WE MAY BE A LONG WAY FROM EVIDENCE-BASED POLICY IN EVERY DOMAIN OF CRIMINAL JUSTICE, BUT I KNOW THAT EVEN JOHN BRAITHWAITE'S WOULD ARGUE THAT HIS LAMENT DOESN'T SEEM QUITE AS APPOSITE TODAY AS IT DID A DECADE AGO.

THE WORK JOHN HAS DONE ON RESTORATIVE JUSTICE, AS I SAID AT THE OUTSET OF THIS PAPER, HAS HAD A TREMENDOUS EFFECT ON JUVENILE JUSTICE POLICY. ROSS HOMEL'S WORK ON EARLY CHILDHOOD INTERVENTION HAS UNITED CONSERVATIVES AND REFORMERS ALIKE ON THE NEED TO SUPPORT FAMILIES DURING THE FIRST FEW YEARS OF A CHILD'S LIFE.

THE POLICE ARE SHOWING A KEEN INTEREST IN THE WORK BEING DONE BY THE CRIMINAL JUSTICE COMMISSION, THE AIC AND THE WA CRIME RESEARCH CENTRE ON REPEAT BURGLARY VICTIMISATION.

DAVID DIXON AND LISA MAHER HAVE SUCCEEDED IN GETTING POLICE TO THINK HARDER ABOUT THE HEALTH CONSEQUENCES OF AGGRESSIVE STREET-LEVEL DRUG LAW ENFORCEMENT. YOU COULDN'T SAY THE JOINT IS JUMPING. BUT IT WOULD BE FAIR TO SAY THE PARTY'S CLEARLY STARTED.

EVEN THE MOST RECALCITRANT PESSIMIST WOULD ADMIT THERE ARE AT LEAST A LOT MORE CRIMINOLOGISTS NOW THAN THERE WERE TEN YEARS AGO.

IN FACT WHEN I STARTED IN CRIMINOLOGY YOU COULD HAVE KILLED OFF ALL OF AUSTRALIA'S CRIMINOLOGISTS IN A SINGLE TRAGIC CANBERRA BUS ACCIDENT. THESE DAYS ALL THE FLIGHTS OUT OF PERTH AFTER THE ANZ SOCIETY OF CRIMINOLOGY CONFERENCE WOULD HAVE TO FALL INTO THE SEA TO ACHIEVE THE SAME RESULT.

WHO KNOWS, IN THE YEAR 2020, INSTEAD OF BEING BRIDESMAIDS OR COURT JESTERS OR FAILED CRUSADERS, CRIMINOLOGISTS MIGHT START TO REPLACE LAWYERS AS ATTORNEYS-GENERAL OR MINISTERS OF POLICE.

WE MIGHT EVEN GET A CRIMINOLOGIST AS OUR FIRST AUSTRALIAN HEAD OF STATE. STRANGER THINGS HAVE HAPPENED. WE CAN ALWAYS LIVE IN HOPE.

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