

responsible for the difficult task, due to the rudimentary nature of crime data available, of reviewing local crime statistics and developing local crime prevention responses (Hogg 1990).

As part of this pilot project, a conference was held at Fairfield on 3 December 1990 (Norton 1990). The conference program included the following sessions: Understanding Crime — A Pre-requisite for Prevention (Michael Hogan); The South Australian Crime Prevention Strategy: An Integrated Approach (Sue Millbank); What is Happening in Local Government at Present? Information from Participants; and The Contribution of Physical Design and Planning to Crime Prevention (Wendy Bell). Interestingly, two speakers (Millbank and Bell) were from South Australia, which demonstrates the cross-fertilisation across jurisdictions that was common at that time. More specifically, the involvement of two South Australians highlights the importance of the advances in crime prevention made in that state to NSW (and other Australian jurisdictions: see Sutton 1997). The conference proceedings highlight the focus on local dimensions of crime and the potential roles of local government in preventing crime. Specifically, Hogan suggested that:

Local Government is the level of government closest to the community — it is the most informed about local needs, has the access to the best information about the characteristics of the local community, and it also has strong contacts with other levels of government, both state and federal levels. So it is in a prime position to exercise some co-ordinating role, and some pioneering role in crime prevention (1990:9–10).

Local crime prevention also received attention and support in four key documents in the early 1990s, each with a focus on youth crime. The *Kids in Justice Report* (Youth Justice Coalition 1990), the NSW Parliament Legislative Council's *Inquiry into the Juvenile Justice System in NSW* report, the *Future Directions for Juvenile Justice in New South Wales: Green Paper* (Juvenile Justice Advisory Council of NSW 1993) and the *White Paper: Breaking the Cycle: New Directions for Juvenile Justice in NSW* (NSW Department of Juvenile Justice 1994) each advocated for local crime prevention regimes to be established. The *Kids in Justice Report* (summary report) stated the following:

Local government bears a considerable cost of juvenile crime. Some local authorities have begun taking a role in stimulating and co-ordinating crime prevention activities in their areas. There is also much scope for local government to play a vital role in juvenile crime prevention through community development and town planning (Youth Justice Coalition 1990:15).

The Youth Justice Coalition recommended the establishment of a Cabinet Sub-Committee on Juvenile Justice and Crime Prevention (Recommendation 2) and an office within the Premier's Department to undertake coordination, research, monitoring, review, standards development and funding of local crime prevention projects. It was estimated that it would cost A\$400 000 to establish the NSW Office of Juvenile Justice and Crime Prevention, with a further A\$5 million allocated to the NSW Community Crime Prevention Program (Youth Justice Coalition 1990:24, Summary Report).

In August 1991, the then Attorney General and Minister for Justice referred to the Standing Committee of Social Issues of the Legislative Council an Inquiry into the Juvenile Justice System in NSW. This extensive Inquiry received submissions from 91 organisations or individuals; 205 people from across Australia participated in hearings; interviews were conducted with 29 juveniles currently or previously in contact with the NSW juvenile justice system; 45 people from other countries met with Committee members; and the Committee visited five NSW juvenile justice facilities and various other organisations and facilities across Australia and internationally. Based on findings emerging from these processes and literature reviewed by the Committee secretariat, a report containing 134 recommendations was tabled

in Parliament in May 1992. Three of the recommendations specifically related to crime prevention:

Recommendation 1: 'That a Crime Prevention Division be established within the Attorney General's Department, a priority which is to develop policies and strategies relevant to juvenile crime prevention' (1992:xiii).

Recommendation 2: 'That a consultation and liaison process, similar to the French Bonnemaison Scheme [discussed below], be established under the coordination of the proposed Crime Prevention Division of the Attorney General's Department, so that State Government Departments and Offices, the Federal Government, local councils and relevant community organisations can assist in the formulation of long term policies and strategies relevant to juvenile crime prevention' (1992:xiii).

Recommendation 14: 'That the proposed Crime Prevention Division of the Attorney General's Department examine the feasibility of implementing a juvenile crime prevention scheme throughout New South Wales that gives greater responsibility and a greater role to local councils' (1992:xvii).

The French Bonnemaison Scheme referred to in Recommendation 2 had its origins in riots in Lyon and Marseille in 1981, the election of a socialist government in 1982, and a review of the causes of crime and the development of a charter for a national response. This review, chaired by Gilbert Bonnemaison, the mayor of Epinay sur Seine, shaped what became known as the 'Bonnemaison approach'. This approach was 'rooted in the observation that many of the major public housing programs developed in the 1960s and 1970s ignored the social needs of the residents and led to their exclusion from the most productive and valued elements of society' (Cameron and Laycock 2002:314). It focused on the coordination of key agencies and actors and gave primacy to local responses. It had a significant impact on localised crime prevention in Australia and elsewhere, although, as Homel notes, given the different systems of government in France compared with Australia, this approach 'did not always easily fit into an Australian context' (2005:357).

While the Inquiry into the Juvenile Justice System in NSW was being undertaken, the then Attorney General established a Juvenile Justice Advisory Council on 18 September 1991 and, in February 1992, the Minister for Justice sought the assistance of this Juvenile Justice Advisory Council in the preparation of a Green Paper on Juvenile Justice. The Green Paper, quoted at length here because of the importance of the observations, highlighted that:

While many agencies are involved in juvenile crime prevention, it is easy for responsibility to fall between agencies. There is no single agency in New South Wales with a co ordinating, developmental, funding and facilitating role.

At a local level, the picture is a similar one. There is no regular co ordinating structure in place. In some localities, various agencies often come together to seek to address juvenile crime issues, for example, through youth inter agency meetings, police/community consultative committees, etc. In a few places, local government has been involved in such forums and two constructive examples are the roles played by Waverley Municipal Council and Fairfield City Council in the joint Community Crime Prevention pilot project run during 1990-91 ...

However, these local efforts have often suffered from lack of resources, lack of representativeness, lack of access to information and expertise, a vulnerability to personal or political agendas, and a dependency on the inclination and efforts of individual people. No State Government body has taken responsibility for making co ordination happen at a local level (Juvenile Justice Advisory Council of NSW 1993:81-2).

Following these reports and inquiries, the NSW Government released the *White Paper: Breaking the Crime Cycle: New Directions for Juvenile Justice in NSW* in early 1994. Despite

criticisms of the White Paper process (Bargen 1997:4), the White Paper made a commitment for the establishment of a Juvenile Crime Prevention Division in the Attorney General's Department to: coordinate and conduct research on juvenile crime prevention issues; disseminate information on crime prevention initiatives and research; provide advice on the development of crime prevention strategies; and fund innovative juvenile crime prevention projects (NSW Department of Juvenile Justice 1994:6).

From these developments, a number of observations can be made. First, a key driver for local crime prevention in NSW was the desire to prevent juvenile crime. The *Kids in Justice Report*, the *Inquiry into the NSW Juvenile Justice System*, the *Green Paper: Future Directions for Juvenile Justice in New South Wales* and the *White Paper: Breaking the Cycle: New Directions for Juvenile Justice in NSW* each made specific recommendations relating to the importance of efforts to prevent juvenile crime, including the establishment of a central agency to oversee crime prevention activities. The impact of these four separate, but complementary, processes seems to have been significant. Much of the subsequent reformation of the juvenile justice system in the following decade can be directly traced to these inquiries and subsequent reports, and the wider developments in local crime prevention in NSW seem to owe much to these inquiries and reports.

Another key observation is the growing recognition of the role of local government in the prevention of crime (something that is now somewhat taken for granted: see Shaw 2001; Sutton and Cherney 2002; UNODC 2004; Homel 2009; Homel and Fuller 2015). Contrary to later arguments about cost shifting and cost shedding (Australian House of Representatives 2003; Local Government and Shires Associations of NSW 2012), local government was interested in exploring the role it could assume in crime prevention. As Hogan suggested, local government could take on a 'pioneering role' (1990:9–10), even despite the acknowledged resource limitations faced by regional and rural councils.

Another theme was the broad nature of crime prevention envisaged by these numerous inquiries and reports. It was thought that local government could assume a coordinating role and influence planning decisions to prevent crime. The delivery of community-based programs was also highlighted as a potential method of preventing (youth) crime (which became an enduring approach to local crime prevention in NSW and Australia: see Homel 2005). There was also much said about the roles of other agencies (especially in the Legislative Council's Inquiry into the NSW Juvenile Justice System). In the Inquiry's report, there is considerable reference to various government agencies. For example, the following recommendations demonstrate the inter-agency, whole-of-government responses considered important to preventing youth crime:

Recommendation 4: 'That the Department of Community Services and the Department of Housing increase the provision of services that can provide safe and suitable crisis, medium-term supported and long-term accommodation' (NSW Standing Committee on Social Issues 1992:34).

Recommendation 7: 'That the Department of School Education in consultation with the Department of Employment, Education and Training, examine the feasibility of establishing Homework Centres throughout New South Wales that can assist disadvantaged young people' (NSW Standing Committee on Social Issues 1992:41).

Recommendation 8: 'The Government initiatives in the area of youth employment and training programs be encouraged and developed' (NSW Standing Committee on Social Issues 1992:46).

Recommendations 9: 'That the proposed Crime Prevention Division of the Attorney General's Department, the Department of Sport, Recreation and Racing, and local councils, in consultation with community organisations and members of local communities, collaboratively develop appropriate strategies for the implementation of constructive leisure, recreation and entertainment programs and facilities for young people throughout New South Wales' (NSW Standing Committee on Social Issues 1992:48).

There are numerous additional recommendations that further expound upon these themes. What these recommendations demonstrate is a clear view that the broad causes of crime must be addressed, not just the opportunities for crime. These recommendations are most closely aligned with Tonry and Farrington's (1995) community model of crime prevention. It is significant that early visions of local crime prevention in NSW focused on these programs and initiatives and implicated numerous government agencies, many traditionally associated with providing public housing, public education and child protection services. Moreover, there is clear commitment to consultative approaches that engage local communities in devising responses to local crime problems. Reference to the French Bonnemaison Scheme and the importance of community consultation and engagement suggests that the vision was for a 'bottom-up' method of engagement, rather than imposing targets, approaches and methods on particular communities, and focused on long-term, community-based responses.

Formal recognition (1995–2001)

Following a period in which there were diverse and sustained calls for the creation of particular structures to oversee and support local crime prevention activities in NSW, many of the suggested reforms came to fruition in 1995. The Juvenile Crime Prevention Unit was established in the (then) NSW Attorney General's Department. Initially this Unit consisted of two staff. Further recruitment and expansion soon saw the Unit become a Division, with initial activities including the establishment and support of the Juvenile Crime Prevention Advisory Committee. In 1996, the Juvenile Crime Prevention Division became the Crime Prevention Division.

The NSW Premier's Council on Crime Prevention, which met for the first time in October 1995, was at the centre of the NSW Government's goal to develop crime prevention partnerships, and reduce the incidence of crime through the development, promotion and implementation of relevant strategies. The Council was chaired by the NSW Premier and comprised 11 government ministers (including Ministers of Police, Community Services, Health, Housing and Education) and eight non-ministerial members drawn from academia and private/community sectors (Judd et al 2002:33) (including an expert on Indigenous education, an academic criminologist, a victims' rights advocate, and a prominent crime novelist (Bargen 1997:7)).

The Crime Prevention Division released *Juvenile Crime in New South Wales: A Review of the Literature* in 1996. This report sought to provide both a statistical profile and an overview of relevant crime prevention literature to aid the development of a juvenile crime prevention strategic plan. In the same year, the Division conducted five Juvenile Crime Prevention seminars for local government throughout regional NSW (Shipway and Homel 1999).

More significantly, the *Children (Protection and Parental Responsibility) Act 1997* (NSW) ('CPPR Act') commenced in 1997. This Act legislated, among other things, local crime prevention planning procedures. Part 4 of the CPPR Act sets out processes for developing a local crime prevention plan and for its endorsement as a safer community compact. The key features of the Act were outlined by the then Attorney General, in the second reading speech:

The provisions introduced by part 4 of the bill will provide a legislative framework upon which to formalise and foster the development of proactive local crime prevention measures ...

Division 3 of part 4 of the bill seeks to encourage best practice in the development of local crime prevention plans by making provision for the accreditation of local crime prevention plans which meet specified standards as 'safer community compacts'. Funds will be made available through the Government's safer community development program to assist in the implementation of initiatives contained in safer community compacts. (Shaw 1997:10 952).

Thus, part 4 of the CPPR Act established procedures for the development of local crime prevention plans by local councils in NSW. These procedures did not mandate councils to develop a crime prevention plan (unlike, say, the *Crime and Disorder Act 1998* (UK), which despite the clear legislative guidance has been criticised for 'lacking teeth' (Tilley 2009:144)). Part 4 of the CPPR Act outlines the potential contents of a crime prevention plan (s 33), the adoption (s 35) and duration (s 36) of a local crime prevention plan, and the procedures associated with having this crime prevention plan endorsed as a safer community compact (s 39). According to the original provisions of the CPPR Act, crime prevention plans were sent to the NSW Attorney General, who then requested comments from the Minister for Police and the Minister for Community Services, before making a determination to endorse the crime prevention plan as a safer community compact. This process often took a protracted period for a crime prevention plan to be endorsed as a safer community compact.

Once a local crime prevention plan was endorsed as a safer community compact, the council was eligible to apply for funding under the Safer Community Development Fund, which, according to the second reading speech, was established with recurrent funding of A\$1.15 million annually. Interestingly, the Shadow Attorney General at the time stated: '[I]n real terms, if \$1.15 million is allocated it will not even touch the sides, so to speak, in the development of local crime prevention programs' (Hannaford 1997:10 956). The amount allocated for the Safer Community Development Fund was far less than the A\$5 million originally advocated by the Youth Justice Coalition in the *Kids in Justice Report*, and the 2012–13 Annual Report for the NSW Department of Attorney General and Justice revealed that only A\$800 000 was allocated in the 2012–13 financial year to local councils following endorsement of their crime prevention plans as safer community compacts (NSW Department of Attorney General and Justice 2013:18).

Despite the reservations of the Opposition regarding the adequacy of the funding for local crime prevention programs, local crime prevention received a further boost in 1998 with the announcement of an Inquiry into Crime Prevention through Social Support by the Standing Committee on Law and Justice. The Inquiry focused on 'the relationships between crime and the types and levels of social support afforded to families and communities' (NSW Standing Committee on Law and Justice 1999:1). This Inquiry ultimately produced three reports — one on the proceedings of a conference and two detailing the findings and recommendations of the Inquiry. Of note, the first report (December 1999) contained a chapter (chapter 7) on local government and crime prevention. The importance of the role of local government was reiterated in the report, but it was noted that local government did not wish to be mandated to be responsible for local crime prevention planning.

Further to the establishment of this Inquiry, the NSW Crime Prevention Division released a *Crime Prevention Resource Manual*. The then Premier's Council on Crime Prevention launched the manual for the benefit of local councils, setting out parameters for the development of Crime Prevention Plans. This manual provided guidance in relation to development of such plans and suggested that a detailed analysis of crime data be undertaken

to develop an area crime profile (1998:41); consultation be undertaken with local community representatives (1998:56); that only two or three issues of priority reflecting local needs be identified and addressed (1998:50); that between three and five compatible strategies in relation to each priority be developed (1998:51); and that the necessary skills, resources and potential obstacles and side effects be considered when developing strategies.

While less directly relevant to the central objective of this article, it should also be noted that there were significant developments occurring within the NSW Police at this time that also helped propel localised forms of crime prevention. NSW Police established a Community Safety Plan and in November 1997 appointed full-time Crime Prevention Officers to each of the 80 newly created Local Area Commands. As highlighted by Klepczarek (2002), this represented an increase from four regional crime prevention positions to 80 officers with responsibilities for forming partnerships with local organisations 'to manage crime prevention in a more holistic way' (2002:4). These and other developments within the NSW Police augmented localised approaches to crime prevention in NSW.

In 2001, Pt 4 of the CPPR was reviewed. Among other things, it was found that 'Part 4 of the Act has had an impact on local crime prevention planning', reflecting 'inherent strengths of the legislation and the work of the Crime Prevention Division' (Masters et al 2001:17). In particular, it was found that the legislative basis ensured greater 'authority' in the eyes of councils and that the funding received from the NSW Crime Prevention Division had aided the development of local crime prevention plans, and had helped to overcome perceptions that the legislation involved the shifting of state responsibilities to local government. The flexibility of the Act also allowed councils to adopt a broad range of strategies to address crime in their area (Masters et al 2001:17–18).

The report contained 33 recommendations, including that: councils be retained as the lead agencies for developing and implementing local crime prevention plans; the Crime Prevention Division develop a strategy to allocate resources to statewide skills development, networking of crime prevention practitioners and promotion of best practice in crime prevention strategies and implementation; local crime prevention planning guidelines make stronger reference to linkages between councils social planning requirements and local crime prevention planning; the Crime Prevention Division centrally produce standard crime profiles for those councils proposing to develop a local crime prevention plan; and the Attorney General seek enhancement funding to increase the resources available to councils for local crime prevention planning from the Safer Communities Development Fund (Masters et al 2001:43–6).

Although there has never been a formal government response to this report and these recommendations, there have been a number of changes following this period, which will be outlined in the following section. However, it is worth considering the overall developments during this period. There was clearly much activity with the establishment of the Crime Prevention Division and two committees (Premier's Council on Crime Prevention, Juvenile Crime Prevention Advisory Committee), the introduction of legislation (and subsequent review) and the development and release of the *Crime Prevention Resource Manual*. There was also the Standing Committee on Law and Justice Inquiry into Crime Prevention through Social Support, which reaffirmed the important role of local government in crime prevention and the need for localised responses and the critical role of government and non-government organisations in providing social support to achieve crime prevention.

However, despite these developments and structures, some of the earlier optimism in the efficacy of local crime prevention seemed to have waned. While the review of Pt 4 of the CPPR Act, for example, pointed to some positive outcomes, it also highlighted various limitations. The repackaging of existing local initiatives, the lengthy planning and approval

processes, the difficulties of engaging hard-to-reach community groups and the limited demonstrable crime prevention outcomes were just some of the limitations highlighted in the evaluation (Masters et al 2001). There was also some concern raised regarding the proliferation of inter-agency committees focused on crime and related issues (for example, many councils had Community Safety Committees; police operated consultative committees that would be replaced with Police Accountability Community Teams; Liquor Accords operated; Community Drug Action Teams commenced after the NSW Drug Summit in 1999) and the duplication of attendance, membership and activities of these committees (a concern raised some years later by Shepherdson et al (2014)). It is argued that the muted success of local crime prevention structures in demonstrably preventing crime, at a time that now seems to have coincided with peaks in reported crime in NSW (see Goh and Ramsey 2015), and some of the issues arising between local and central agencies resulted in a shift toward more centralised, evidence-based approaches to crime prevention in NSW.

Centralisation: Evidence-based and targeted prevention (2002–16)

Central government (in particular, the then Premier's Department) started to assume greater responsibility for localised crime prevention activities from the early part of the 2000s. Through Place Management, Community Solutions, and then Crime Prevention Partnerships, the Premier's Department (and later the Department of Premier and Cabinet) increasingly assumed a central role in key local crime prevention activities. Place management projects in various high-crime suburbs (Cabramatta and Kings Cross), Community Solutions projects (in Mount Drutt), and Crime Prevention Partnerships in the Sydney CBD (NSW Premier's Department 2002) are just some of the more centrally coordinated crime prevention structures in operation in this period. These whole-of-government projects generally sought to increase information exchange across agencies, provide central coordination capabilities, and drive very specific interventions. While the arrangements established under Pt 4 of the CCPR Act continued (and continue to this day), much larger funding and greater central government attention was given to these specific locations, often resulting in swifter and more substantial responses to various local crime issues.

In 2005, the Australian Institute of Criminology ('AIC') was engaged by the NSW Attorney General's Crime Prevention Division to 'undertake a review of the overall quality, appropriateness and effectiveness of local crime prevention planning activities in NSW' (Anderson and Homel 2005:8). This project commenced in January 2005 and involved in-depth interviews with key stakeholders in three sites and responses from 39 councils to surveys distributed to 49 councils that had had a crime prevention plan endorsed as a safer community compact since the commencement of the CPPR Act. The findings, published in August 2005, concluded that the crime prevention plans appeared to have had a positive effect on the communities implementing them, but that the nature of the plans and initiatives chosen made it difficult to measure whether they had any impact on crime. However, since the object of the crime prevention plans in Pt 4 of the CCPR Act is that the crime prevention plans are to work towards building community involvement in crime prevention activities (s 30), it was concluded that the safer community compacts had assisted in promoting this goal (Anderson and Homel 2005:49). The AIC recommended (echoing previous reports and reviews) that consideration be given to the following to enhance further local crime prevention planning efforts in NSW: provision of funding for permanent local government Crime Prevention Officers; improved guidelines for crime prevention implementation; greater Crime Prevention Division guidance; and the encouragement of more efficient evaluation techniques (Anderson and Homel 2005:45–9). The specific impacts of these recommendations remain unclear,

although some subsequent developments seem to respond to the recommendations made by the AIC.

In 2006, the NSW State Plan, an overarching plan for all NSW government agencies, was released. It included a host of priorities for government across various areas (crime being one) and responsibilities (such as criminal justice agencies). Reductions of particular crimes were prioritised. For example, the targets to be met by 2016 included a reduction of property crimes by 15 per cent and personal crime (particularly violent crime) by 10 per cent, as well as a reduction of alcohol-related crime and a reduction of re-offending within 24 months by 10 per cent. Subsequent State Plans have also contained crime reduction targets, although the focus has tended to move away from property crime (see NSW Government (2016) for the current targets).

A series of governmental activities and actions were prompted by this Plan. In 2008, the NSW Government developed a Crime Prevention Framework for NSW. The goal of the framework was to strengthen and coordinate the approach to both state- and local-level situational crime prevention initiatives, contributing to the crime reduction targets of the NSW State Plan. The key characteristics of the framework included:

- Oversight by the Crime Prevention Steering Group — on a statewide level, the coordination of crime prevention was situated with the Crime Prevention Steering Group, comprising executive officers from the Attorney General's Department, NSW Police Force and Department of Premier and Cabinet. It is noteworthy that this smaller, leaner group stands in stark contrast to the Premier's Council on Crime Prevention established in 1995 with no representatives from community groups, non-government organisations or Ministers identified as participating in this Crime Prevention Steering Group.
- Strengthened local crime prevention — two separate yet related approaches occurred at a local level: 1. the development of safer community compacts (which continues); and 2. the establishment of Crime Prevention Partnerships ('CPPs') (which no longer occur). These CPPs were set up in areas where greater focus was required. They were a partnership between local council, local police, relevant state government agencies and other relevant local groups. Crime Prevention Partnerships were chaired by the NSW Police Force Local Area Commander with the deputy chair being a local council representative. The CPPs were responsible for coordinating crime prevention planning in the area and met on a monthly basis to develop CPP Action Plans.
- Community Safety Precinct Committees ('CSPCs') — hosted by the NSW Police Force, these Committees were promoted as the key forum through which the Police and Government agencies engaged with communities and key stakeholders on crime prevention and community safety issues (unless there was a CPP operating in the area, in which case the CSPC provided a consultative role to the CPP) (NSW Department of Premier and Cabinet 2008). These CSPCs continue to operate in NSW.

To assist local government bodies in their preparation of CPPs, the NSW Attorney General's Department prepared a short document outlining various necessary steps. This document addressed some of the concerns raised by the 2001 and 2005 reviews of the CPPR Act, and placed local government crime prevention planning capabilities within a specific scope of power and purpose. Targets outlined in the 2006 NSW State Plan were reiterated, and the role of local councils in planning and the salience of situational crime prevention measures were highlighted (NSW Attorney General's Department n.d.:1–2).

The introduction of this Crime Prevention Framework has had numerous consequences. Of relevance here are the reduced requirements of developing and having a local crime prevention plan endorsed as a safer community compact, the new governance structures for local crime prevention activities (that is, CPPs and CSPCs, which elevate the role of police to chairs of these committees), and the expressed prioritisation of situational crime prevention measures compared with earlier interests in community crime prevention.

In 2012, NSW Crime Prevention Programs (the re-named Crime Prevention Division) released a series of evidence-based crime prevention resources. Developed by the AIC on behalf of NSW Crime Prevention Programs, these resources focused on particular crime categories (assault, burglary, malicious damage, retail theft, steal from motor vehicle and steal from person). These resources (NSW Government Justice 2015b) provide an overview of what the research evidence suggests are effective interventions and how local councils can effectively tackle particular crime issues. Coupled with other resources developed around this period, these evidence-based crime prevention strategies demonstrate the growing influence of the evidence-based crime prevention movement (see Sherman et al 2006) on NSW approaches.

Despite the difficulties providing a coherent summary of the developments impacting on local crime prevention activities in NSW in the last 14 years, there have been some strong centralising tendencies. The language and rhetoric common in the early-to-late 1990s has been replaced. Community involvement and ownership have largely been replaced by a focus on inter-agency and whole-of-government responses; protracted processes requiring community consultation have been replaced by a greater preference for crime data analysis and evidence-based interventions, with situational crime prevention becoming a central approach; and, rather than relying on local government personnel to coordinate crime prevention committees and responses, staff from central agencies coordinate and drive responses to perceived needs and police assume key roles. Centrally imposed targets and references to information sharing across agencies have also aided a more centralised, and perhaps less democratic, approach to local crime prevention.

However, despite these overall trends in the last decade and a half, a recent media release from the Deputy Premier (and acting Premier at the time of the announcement) of NSW reveals, at least a partial return to a commitment to local approaches to crime prevention:

Local communities know best how to create local solutions and from today they have a chance to apply for up to \$250,000 in New South Wales Government funding to reduce crime and stamp out anti-social behaviour, Acting Premier and Minister for Justice and Police Troy Grant has announced (NSW Government Justice 2015a).

This media release announced A\$10 million funding for the Community Safety Fund (to run over four years). In keeping with the current government's embrace of localism, this potentially reflects a return to more localised forms of crime prevention in contrast to some of the more centralised developments in the last 14–15 years. However, with major reforms (read *reduction*) mooted for NSW local councils (NSW Independent Local Government Review Panel 2013), it will be interesting to monitor the future of localised forms of crime prevention in NSW in coming years.

Moreover, it should not be concluded that these centralising tendencies have completely stifled locally developed crime prevention initiatives. As demonstrated in a local case study (see Clancey 2015a, 2015b), many examples of bottom-up approaches to crime prevention persist. The traditional focus on community crime prevention (and community development) continues, at least in the case study site, with local initiatives focusing on breakfast clubs,

police–youth exercise programs, alternative education programs, and a host of other community-oriented activities. This underscores the diversity of funding arrangements available to community-based organisations which provide, at least some opportunity to circumvent these centralising, evidence-based tendencies, and which sit outside the state government/local government arrangements which are the focus of this article.

Conclusion

This partial history of localised approaches to crime prevention in NSW suggests three phases of development over the last 30 years. The first phase — the fight for recognition — was a period of numerous government inquiries, deliberative policy development and advocacy by non-government organisations. Key themes of this period included the focus on the prevention of youth crime; the emerging role of local government as a critical actor in crime prevention efforts; the need for a central body to coordinate, fund and support local crime prevention; the broader vision of various government agencies engaging in and supporting crime prevention; and the importance of locally developed responses to particular crime issues.

The second phase — formal recognition — was a period of considerable activity as the NSW Juvenile Crime Prevention Unit (later to become the Crime Prevention Division), the NSW Premier's Council on Crime Prevention and the *Children (Protection and Parental Responsibility) Act 1997* (NSW) were established. These important developments stimulated considerable local crime prevention activities, as demonstrated by subsequent reviews of the CPPR Act. Local councils across NSW developed local CPPs, many of which were endorsed as safer community compacts, which enabled (modest) funding to be sought from the safer community development fund. Considerable emphasis throughout this phase was the importance of community engagement and collaboration at the local level, which often resulted in the establishment of local committees and lengthy community consultation procedures, reflective of a more democratic orientation toward local crime prevention. These structures added to the bureaucratic and administrative demands that ultimately caused delays in local CPPs being endorsed as safer community compacts. Perhaps most critically, attempts to assess the impact of these activities were unable to demonstrate the success of these efforts in preventing crime.

The third phase — centralisation — took various forms, but has generally seen a reduced emphasis on local approaches to crime prevention. Central government agencies assumed greater responsibility for coordinating crime prevention efforts in high-crime areas; the advent of crime prevention committees run by police saw police assume a more prominent role in local crime prevention activities; the focus on evidence-based interventions and situational crime prevention in particular replaced the more community-development oriented interventions common in previous years. Crime reduction targets established by central government and the political focus on 'cutting red-tape' have also impacted on approaches to local crime prevention, resulting in less deliberative, consultative approaches and more data-driven, situationally oriented interventions.

There are some similarities with other jurisdictions. For example, the French *Bonnemaïson* approach influenced early local crime prevention approaches adopted in NSW and across Australia (Sutton 1997; Cameron and Laycock 2002), as was the case elsewhere. Similarly, the rise of the role of local government in crime prevention echoes developments in numerous jurisdictions (Crawford 1994; Gilling 1997; Cherney 2006; Cherney and Sutton 2007; Drugs and Crime Prevention Committee 2012). And the more recent trend toward evidence-based crime prevention is not unique to NSW or Australia. The systematic reviews and meta-

evaluations conducted by the Campbell Collaboration, evidence-based crime prevention publications (see Sherman et al, 2006) and the evidence-based policy movement more broadly have international dimensions.

However, it is apparent that numerous local factors and circumstances have also influenced and shaped approaches to local crime prevention in NSW. The initial focus on juvenile crime as a catalyst for localised crime prevention is perhaps idiosyncratic. So too is the relatively late development, by Australian standards, of a central crime prevention agency. Other Australian jurisdictions had established centralised crime prevention agencies long before NSW took this approach, but few have continued to retain these central agencies throughout the intervening period. For example, in South Australia, the 'Together against Crime' strategy was launched in 1989 and a Crime Prevention Unit was established (Sutton 1997; Sutton et al 2008). These, in one form or another, lasted until 2007, when the South Australian Crime Prevention Unit was closed (Paterson 2007). The Queensland CPPs in 1998 were superseded in 1999 when the 'Queensland Crime Prevention Strategy — Building Safer Communities' was launched (Friedman 2001). Originally managed by the Crime Prevention Unit within the Community Engagement Division of the Department of Premier and Cabinet, the functions of this unit have now been folded into the Queensland Police Service. The same fate awaited the Western Australian Office of Crime Prevention, which originally developed the 'Western Australian Community Safety and Crime Prevention Strategy' in 2004 and is now part of the Western Australia Police Service (Legal Affairs and Community Safety Committee 2014). Victoria has experienced 'cyclical progress of crime prevention' (Sutton and Cherney 2002). The 'Good Neighbourhood' program commenced in 1988, followed by the 'Safer Communities Pilot Programme' in 1991, and the 'Safer Cities and Shires' program in 1997 (Sutton and Cherney 2002). The Victorian Crime Prevention Unit was established in 2000 and operated until 2007, when it was downgraded from a Division to a business unit within the Victorian Department of Justice (Drugs and Crime Prevention Committee 2012). A Ministry for Crime Prevention was subsequently established in 2010; two Parliamentary Inquiries into crime prevention were conducted in 2012 and 2013; and Community Crime Prevention Unit continues to operate. Clearly, there has been a somewhat more consistent and stable approach to localised crime prevention in NSW than in other Australian jurisdictions.

Ultimately, it is difficult to advocate a single approach to local crime prevention based on the NSW experience. The absence of demonstrable crime prevention outcomes hampered the more community-based, consultative approach in the second phase of development. While this problem has bedevilled community crime prevention approaches more broadly (see Homel 2007), the engagement of community organisations and representatives in local crime prevention planning has potential benefits, including educating community members and groups about specific features of crime, criminal justice and crime prevention policies, and democratising responses to local crime issues, which might counteract forms of 'punitive populism' (Sutton 1997; Cherney and Sutton 2007). Conversely, more targeted interventions consistent with what has been shown to be effective in preventing crime makes sound economic sense. Spending limited resources on approaches with unknown chances of succeeding is obviously not a fiscally responsible policy approach, but, without the experimentation common in the period in which localised forms of crime prevention flourished, it is likely that the evidence base would be greatly diminished. Thus, having elements of each approach and tolerating some potentially poor crime prevention outcomes and some less locally devised evidence-based initiatives might be a way of blending key features of the different approaches to local crime prevention in NSW employed over the last 30 years.

Legislation

Children (Protection and Parental Responsibility) Act 1997 (NSW)

Crime and Disorder Act 1998 (UK)

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The Proposed Re-introduction of Policing and Crime into the Regulation of Brothels in New South Wales

Penny Crofts* and Jason Prior†

Abstract

Since 1995, brothels in New South Wales have been permitted to operate as legitimate businesses regulated by local councils using planning powers. Despite more than 20 years since decriminalisation and widespread support, there remains an urge by some to heavily regulate the sex industry, reflected in the recently submitted report to the NSW Government from the Select Committee on the Regulation of Brothels (2015). Although the Report supports maintaining decriminalisation, it is dominated by concern about the association of brothels with crime and the consequent need for increased policing. This article argues first that there is little to no evidence to support the criminogenic concerns articulated in the Report. Second, even if these concerns existed, there is nothing to suggest that the proposed measures would provide a solution. Moreover, these proposed reforms reflect a worrying trend in criminal law reform of the expansion of police powers modelled on anti-terrorist legislation, despite existing police powers and criminal offences that are not prosecuted.

Keywords: commercial sex – brothels – decriminalisation – regulation – police powers – New South Wales

Introduction

Historically (and currently internationally) the primary approach to the sex industry has been criminalisation. In 1995, New South Wales ('NSW') decriminalised brothels and permitted them to operate as legitimate businesses regulated by local councils using their planning powers. Despite more than 20 years since decriminalisation and widespread support by sex workers, academic literature, grassroots organisations and health practitioners, there remains an urge by some to heavily regulate the sex industry, in part due to continued perceptions of

* Associate Professor, Faculty of Law, UTS, PO Box 123, Broadway NSW 2007 Australia. Email: penny.crofts@uts.edu.au.

† Associate Professor, Institute for Sustainable Futures, UTS, PO Box 123, Broadway NSW 2007 Australia. Email: jason.prior@uts.edu.au.

the sex industry as inherently criminal and/or moral concerns (Warnock and Wheen 2012). This urge is reflected in the recently submitted report to the NSW Government from the Select Committee on the Regulation of Brothels (2015). The Committee was appointed by the Minister for Innovation and Better Regulation to inquire into the regulation of brothels in NNSW, delivering on the 2015 election commitment by the Baird Government to establish a parliamentary inquiry into the regulation of brothels. The terms of reference were broadly outlined to include regulatory and compliance functions of local and state government, demarcation of the responsibilities of local and state government roles, and 'possible reform options that address the social, health and planning challenges associated with legal and illegal brothels' (Select Committee on the Regulation of Brothels 2015:iii). Although the Committee is clear that 'it would be retrograde and serve no public purpose to recriminalise sex work' (2015:ix–xvi), the Report is dominated by a concern about the association of brothels with crime and the consequent need for increased policing. These criminogenic effects include the proliferation of unauthorised brothels (particularly erotic massage parlours), worker conditions in unauthorised brothels, sex slavery, and the association of bikie gangs with brothels. Although there is limited concrete evidence of these issues, the Report is heavily influenced by Deputy Commissioner for Police, Nick Kaldas, who propounds a cockroach theory of the criminogenic effect of brothels — the small number or absence of prosecutions for various offences indicates a large amount of illegal behaviour under the surface.

The primary recommendations of the Report are dominated by a concern with crime and a consequent reliance upon the police force. Police are at the centre of the majority of proposed reforms. These include the licensing of all non-sex workers in brothels under the auspices of the police. Police powers of entry and enforcement would be increased based on anti-terrorist and anti-bikie legislation. A specialised unit would be created within the NSW Police Force to investigate breaches of the new regulatory system. In addition, police would be at the head of inter-government agencies involved in the regulation and enforcement of licensing laws (Select Committee on the Regulation of Brothels 2015). These proposed reforms risk losing the political and social aspirations of decriminalisation via a reintroduction of criminality by stealth. This theme of protecting decriminalisation from policy reversals and or restrictive implementation has been noted in New Zealand (see Scoular 2010; Abel 2014).

The Report supports pre-election commitments made by the Liberal Party in 2011 to license brothels (Crofts 2012). Although only one paragraph in the 164-page Report makes reference to this, only four out of the seven members of the Committee supported the findings and recommendations of the Report. Three of the Committee members expressed their concerns thus:

The Members for Sydney, Summer Hill and Gosford maintain that the chapter advocates the case for a licensing regime without adequately addressing the current framework of decriminalisation. These members are of the view that the report overstates the susceptibility of sex workers and brothels to criminal activity such as money laundering, sexual servitude and outlaw bikie gangs. These members are of the view that the report gives a disproportionate weighting to the views of NSW Police (Deputy Commissioner Kaldas), to the exclusion of other organisations that balanced this view. These members are of the view that little concrete evidence is presented to support these claims and the experiences of sex workers are simplified to suggest overwhelming vulnerability. These members are of the view that the Committee received evidence of complex intersections of marginalisation, however, the report does not elucidate how licensing would stop an underground industry or protect workers (Select Committee on the Regulation of Brothels 2015:8).

We agree with the concerns of the minority on the Committee and will analyse why the findings and the recommendations of the Report are flawed.