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CRIME AND THE COMMUNITY

Crime and the Community

P.R.WILSON and J.W.BROWN



University of Queensland Press

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Set in Press Roman 11/13 pt.
Printed and bound by Peninsula Press Ltd., Hong Kong

Distributed in Britain, Europe,
the Middle East, Africa, and the Caribbean
by Angus and Robertson (U.K.) Ltd.,
2 Fisher Street, London, WC1R 4QA, England

National Library of Australia card number and
ISBN 0 7022 0838 8
(Paperback) ISBN 0 7022 0839 6

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1 / PUBLIC OPINION, CRIME, AND SOCIAL CHANGE

Introduction

Public concern about crime is not a new thing. In fact, in both popular and academic periodicals of the last fifty years there have been leading articles every few months about "current" increases in crime and the need to take strong measures to cope with unprecedented lawlessness.

In America, for example, William Taft remarked more than sixty years ago that "the administration of criminal law in this country is a disgrace".¹ A decade later, as he chided the "excessive prevalence of crime and fraud",² a popular journalist of the 1920s said the appalling state of habitual lawlessness in the United States was unprecedented.³ In the 1950s, presidential aspirant Adlai Stevenson spoke of current lawlessness as rising to the proportion of a "national scandal", when he addressed an American Bar Association meeting in Washington, D.C.⁴ In the 1960s and early '70s similar comments were made by prominent politicians, academics, and community leaders.

In Australia historians have documented growing concern about crime, beginning with the days of the first settlement.⁵

Accounts of the activities of young gangs of toughs in the Rocks area and Woolloomooloo in Sydney and the feuding between gangs during the aftermath of both world wars verify the contention of Ward and Woods that "the current bout of law and order (in Australia) is milk and water in comparison with the horrors that can be dredged from nineteenth century Australian history".⁶

In the United States, recent Gallup and Harris (National Opinion Research Centre) polls have confirmed the magnitude of current public alarm about crime and add weight to Sutton's contention that fear of crime has assumed altogether unprecedented proportions in recent years.⁷ In fact a variety of American studies show that because of their fear of crime people restrict their personal and social activities. They forgo opportunities for pleasure or cultural enrichment and they become less sociable and more suspicious. So the level of interaction and mutual trust in American society is reduced, and crime, as a threat to the moral and social order, becomes a source of fear even to persons who live in relatively safe circumstances and have no personal experience with it.⁸

Crime and the political process

In Australia little is known about the level of public concern or fear of crime. There has, however, been considerable publicity about all aspects of the criminal justice system. For example, the Victorian abortion inquiry sharply focussed public attention on the activities of police forces generally; prison riots in Pentridge and Boggo Road made people conscious of the problems of prison reform. On a different level politicians of all persuasions have made "law and order" an electoral issue. "Law and order", in this context, refers to the suppression of a variety of activities, including public demonstrations, drug offences, the

circulation of pornography, and outbreaks of violence in the streets.

Scandals, riots, and law and order campaigns are good fodder for the mass media. Given the large amount of space devoted to these matters in newspapers and the enormous popularity of police television dramas, one would expect that public awareness of crime would be acute. Politicians may hope that this high degree of public awareness will lead to popular and electoral support for widening the scope of the law – increasing police powers, introducing harsher penalties, and restricting demonstrations. Certainly, legislators seem to delight in promoting the idea that more law means more order.

Many groups and individuals, however, do not agree. They believe that it is far more desirable to achieve order by having less law. Increasingly law reform movements and associations of many types are becoming vocal and militant. Abortion law reform associations want a reform or a repeal of the complex and often contradictory laws relating to the termination of a pregnancy. Pressure for homosexual law reform has increased in Australia with the formation of the group called C.A.M.P. – Campaign Against Moral Persecution. Both abortion and homosexual law reformers have objected to legislators playing God and are increasingly active in promoting legislative changes. Similarly, Divorce Reform Associations have protested against cumbersome and highly expensive divorce procedures and are attempting to bring about radical changes in matrimonial laws.

While some politicians and governments are demanding more law and order they are, at the same time, improvising with criminal justice innovations. For example, the Queensland state government, which achieved fame – or notoriety, according to one's view – for declaring a State of Emergency during the 1971 Springbok Rugby tour, has introduced what could be labelled as liberal penal measures. Work release programmes have operated in the state since

1970 and week-end detention schemes are fast becoming a standard alternative to a fixed period of imprisonment for young offenders.

A cynic might remark that governments are covering themselves both ways – on the one hand by propounding law and order, and on the other hand by wooing humanitarians and liberals through implementation of reforms in custodial and non-custodial programmes. Further ammunition for this argument is easily found in both the federal and state governments' attitudes towards illicit drugs and drug-takers.

Apparently oblivious to the Americans' past mistakes in the drug field, Australian legislators have so far continued to regard the problem of drug abuse as one to be solved primarily by the resources of the criminal law. Confronted by an increase in drug-taking, the Pavlovian parliamentary response appears to be to increase penalties, create new offences, and sentence more and more people to institutional care. At the same time, however, governments have begun to emphasize rehabilitation rather than punishment programmes for drug addicts. Statements by Mr. Chipp, when Minister for Customs, indicated the possibility that the British model for dealing with drug-takers might be emulated in Australia. (In Britain, while some drugs are banned, drug-takers are allowed to register with a doctor and receive controlled treatment. Prison sentences or institutionalization in hospitals are avoided whenever possible.) This put the federal government in the somewhat incongruous situation of legislatively introducing Draconian penalties while at the same time pontificating a philosophy of humanitarianism and enlightenment.

Schizophrenic behaviour on the part of politicians towards crime and the criminal justice system is understandable to some extent. In part it results from the dilemma of the politician in the democratic opinion-policy process. The traditional democratic ethos assumes that man is sociologically naked; in other words that man, the political

animal, stands alone in being responsible to and influenced by nothing but his reason, his conscience, and his rights. In addition the ethos assumes that each member of an electorate is interested in issues, motivated by principle, aware of facts, and capable of choosing rationally.

Clearly, this argument is open to attack. Man's behaviour is heavily influenced by the social groups he belongs to; many issues do not interest electors; many men are not motivated by principle, do not know the facts about issues, and are incapable of choosing rationally between alternative policies.

It is reasonable to assume that politicians are aware of the deficiencies in the democratic ethos. Their schizophrenic, often irrational, behaviour simply results from a compromise between the ethos and its social reality. In other words, politicians choose policies which pay lip service to the democratic ethos but which at the same time demonstrate the perversion of that ethos as it operates in social reality. In addition, of course, legislation in the criminal justice area (or for that matter in any other area) reflects the ignorance, intellectual blight, and bigotry of the legislators.

The legislators' dilemma can be illustrated in another way as well: Should the elected representative regard it as his duty to act as he thinks his electors want him to act or should he exercise his independent judgment? "The bald issue", as the American political scientist, V. O. Key, once put it, "appears in the contrast between the representative bound by instructions from his constituents and the representative bound by conscience to exercise his best judgment in the interests of the nation."⁹

In Australia this dilemma clearly faces most politicians, but their reactions to it are often based on unsatisfactory information. On the one hand they have little reliable information on what the electors actually think about crime and criminal justice issues; on the other hand the structure of Australian politics is such that a politician rarely exercises and acts upon his individual conscience if it conflicts with the

collective political party policy on any particular issue. We do not pretend in this book to be able to offer advice to politicians about their problems of conscience – many large and wealthy institutions with a variety of philosophies and respected leaders already exist to do just this.

We prefer to confine ourselves to the problem of establishing current public opinion on crime and criminal justice matters. Nor do we pretend to be able to offer advice either to the public or to politicians on how the legislators' dilemma should be solved. All we can do is to echo Edmund Burke's advice on the politician's relations with his constituents when he said: "Their wishes ought to have great weight with him; their opinion high respect; their business unremitting attention. It is his duty to sacrifice his repose, his pleasure, his satisfactions, to theirs – and above all, ever, and in all cases, to prefer their interests to his own."¹⁰ Burke, however, warned the electorate that "your representative owes you, not his industry only, but his judgment, and he betrays instead of serving you if he sacrifices it to your opinion".¹¹

Public opinion and social change

Like Burke, we do not believe that politicians should be slaves to public opinion when formulating policies relating to crime and criminal justice. All we are suggesting is that, while legislators often make reference to public opinion in support of their position on criminal justice, one rarely sees a concrete demonstration that public opinion has indeed been tapped. Further it seems to us that, even if legislators feel that they *know what is best* for society both in a structural and a moral sense, it would seem inadvisable for them to act without some feeling for public sentiment on the crime issue.

This is not to say that, if public opinion does not support a recommended change in criminal laws or procedures, then

that procedure should be discarded. The disparity between executive policy and public opinion may lie in the fact that the public at large does not have access to the information on which a suggestion for change is based. If this is the case, then it would seem to be the responsibility of those **supporting change in criminal laws and procedures** to disseminate such information. This may lead to a change in public opinion. If it **does not**, it would seem to be a reasonably clear indication that the change being proposed is out of step with public sentiment.

Whether in these circumstances politicians should continue to propose changes is another problem – we are back with the legislators' dilemma. However, we feel that it should be pointed out that in our view politicians often hold a complex of rather paranoid fears that reforms, no matter how trivial, in the criminal justice area will bring massive electoral backlashes. Historically such backlashes have rarely if ever occurred. Homosexual law reform in Britain did not bring the wrath of the populace down on the Labour Party. Nor did divorce reform, or even, for that matter, the more contentious issue of liberalized abortion legislation.

In our view one of the tragedies of the whole criminal justice system is the lack of pressure within society for reform and change. To begin with, those people most likely to be processed by the system come from low socio-economic groups in our society and have no pressure group or lobby outlets. Professional groups involved in the administration of the system are for a variety of reasons reluctant to press for changes. Lawyers, a group that benefits enormously from the whole business of crime, prefer to hide in profitable, introspective silence. The great bulk of the **Australian legal profession remains firmly locked in a conservative mould** cast for it by centuries of English tradition. The profession rarely speaks out on matters relating to our inadequate legal aid schemes, overcrowded prisons, or the courts' haphazard and random sentencing

procedures. On the other hand, lawyers are quick to speak out when the financially lucrative fields of divorce, conveyancing, and car accident litigation procedures are criticized.

Auxiliary workers such as probation and parole officers, social workers, prison officers, and the like are generally firmly under the Public Service thumb and have few outlets to express radical views about change in the criminal justice field. Besides, auxiliary workers appear to be fully occupied in raising their status from a semi-professional level to a professional one. Relative to medicine and law, social work is low down on the professional ladder and upward mobility requires respectability, conservatism, and commitment to the status quo. These are qualities which are hardly likely to be compatible with creativity, innovation, and radicalism in criminal justice philosophy and procedures.

Police forces likewise pride themselves on their impartiality in the criminal justice field. The Australian and indeed the British tradition on policing has a strong history of enforcing and not evaluating the law. Clearly both police officers and police unions digress sometimes when making public statements on controversial issues, but the ethos itself still prevents police from playing an active role in changing the various components of the criminal justice system.

The call for reform, then, usually comes from people not involved in the criminal justice system — from law reform groups and from a handful of academics. Too often, however, the cry falls on deaf ears. In addition politicians and the judiciary often retaliate with stereotyped retorts referring to “armchair detectives” or “ivory tower theorists”. Unfortunately, as one of the authors has argued elsewhere, academic criminologists at least have failed to involve themselves in the type of social action research which would allow them to successfully parry the politicians’ charges of intellectual impracticality.¹²

The result of this criminological castration is that few

pressures arise for radical reform within or across the criminal justice system. Consequently this system, designed to judge the behaviour of men, becomes itself effectively beyond judgment.

Crime and social surveys

So far we have argued that politicians have not and will not make large-scale reforms to criminal justice institutions and procedures for at least two reasons. The first reason relates to the dilemma of legislators in all democratic societies – the dilemma of whether an elected representative should regard it as his duty to act as he thinks his electors want him to act or whether he should exercise his independent judgment. The second reason relates to the lack of pressure exerted on the criminal justice system itself by various groups and bodies associated with it.

One of the reasons for carrying out the surveys and studies reported in this book is to provide the politicians with more information on public opinion about crime and justice so that they are in a better position to understand public opinion before attempting to grapple with the legislators' dilemma. Perhaps the feared backlash of public opinion against change will not eventuate, or perhaps public conservatism is due only to a lack of information which can quite easily be corrected. In effect what we are doing is to provide politicians and criminal justice administrators with reliable information on public opinion which will allow them to assess the community's attitudes toward crimes, criminal laws, and criminal justice procedures and practices.

Secondly we hope the studies will provide administrators with more information on crime rates and crime reportability generally. The records of crime that do exist in Australia are not only inaccurate and unreliable but are collected by a variety of agencies using diverse methods of recording,

analysis, and presentation. The use of computers for the systematic collation of information about crime occurs in only one police force – New South Wales – and apart from this there is a failure in all criminal justice agencies across the various states to adopt uniform recording procedures. The situation is aggravated by differences in criminal laws and police practices, which make uniform Australia-wide crime reporting almost impossible.

The surveys presented in this book do not attempt to rectify the deficiencies in the official figures of reported crime. But they do attempt to give an idea of what is usually referred to as the “dark figure” of crime. We know that a great deal of crime does not come to the attention of the police or other agencies. For example, many of the victims of rape, carnal knowledge, or incest are probably deterred from going to the police because of embarrassment, ignorance, or fear. Similarly it is likely that there are many cases of fraud, embezzlement, and other so-called white-collar crimes that are not reported to the police. It is probable also that a number of cases of assault and even breaking and entering offences are not reported. Victims of offences such as these probably have as many reasons for not reporting them to the police as the offenders have for committing them – and neither group is likely to be motivated by community concern. Estimating the number of offences not reported to the police and, more importantly, the reasons why they are not reported, is one of the aims of this study. We do not pretend to have presented a definitive account of either the dark figure of crime or reasons for non-reportability. What we have done is to provide an alternative picture of crime from the one presented by official police sources and some account of why people are reluctant to report a great many criminal offences to the police.

In addition, the surveys provide data on public attitudes towards courts, criminal sentences, prisons, police forces, and a host of other matters relating to crime and criminal justice.

We believe the views expressed by the public are in themselves valuable to personnel working in each of the areas or systems. The value should become evident when the results of the surveys are discussed in future chapters.

More importantly, the studies reported in this book are designed to explore the interaction between public attitudes towards crime and the criminal justice system and the effects of these on social behaviour generally and the criminal justice system specifically. In our view it is extremely important to assess the basis of the popular concern about crime in order to appreciate more fully its scope and the magnitude of its implications in terms of social cost.

In fact one of our basic premises is that fear of crime leads to a classic chain reaction; as some people in the community come to perceive a threat (whether real or imaginary) to their well-being through the possibility of becoming victims of crime, they respond by changing their routine activities and becoming more cautious and guarded in their social and personal behaviour, and their fears are communicated to their neighbours. New apprehensions by neighbours quickly translate into new precautions which both provide supportive feedback and communicate the distress to others. This self-sustaining phenomenon has a many-sided effect on citizens' views of police powers, of penal reforms, and of criminal justice innovations generally. When these attitudes and behaviour patterns are considered in conjunction with some of the social facts of crime and criminal justice procedures then, as we will demonstrate in chapter 6, a study of public sentiments about crime becomes a most valuable exercise.

Let us begin, however, by considering just how much fear or concern people feel about crime.

2 / PUBLIC CONCERN AND FEAR ABOUT CRIME

Introduction

In the United States public fear of crime has, in some communities, adversely affected what is popularly known as the "quality of life". People remain at home rather than go out, avoid interacting with strangers, and demonstrate their lack of concern for each other by their reluctance to assist in many crime situations for fear of becoming involved.¹ This reduction in social interaction, while it may not stem entirely from fear of crime, constitutes in our opinion a more serious threat of disruption to social life than does crime itself.

Public *fear* of crime, as described above, and public *concern* about crime are quite clearly different.² In our view, fear of crime leads to various changes in behaviour which seek to avoid victimization on an individual level – for example individuals retreating from any social situation which is seen as dangerous. On the other hand, *concern* is expressed in more constructive ways, such as viewing the problem of crime in a critical and analytical light. People who are concerned not only attempt to overcome the physical dangers of crime to their own persons and property but also

examine the causes of crime and adopt a much wider approach to its prevention or reduction. In other words, fear of crime leads to retreat-avoidance behaviour, while concern leads to a more constructive confrontation with the issue.

As we will argue further on in this book, public perception of crime is partly based on vicarious experience rather than on actual personal victimization. This perception comes from sources such as the media, the family, and from friends and acquaintances. Of these sources, the media are probably the most important, since their effects are, in this McLuhan age, becoming more widespread and persuasive. Improvements in communications have meant that the media are now drawing on a much greater crime information pool than ever before. News broadcasts come direct from all capitals in Australia, giving to crimes occurring in Melbourne, for example, an aura of immediacy and relevance to people all over the country. In short, people now receive more information about crime from a wider variety of sources than ever before.³ This in itself undoubtedly leads to an increase in concern about the so-called crime problem.

However, the positive role of the media in arousing concern is offset to some extent by its negative effects in generating alarm and fear. Reports of particularly brutal crimes often lead to a public outcry for harsher penalties and more police protection. The recommendations arising from this type of incident, however, usually involve no more than a patchwork of minor changes, instead of a restructuring of the entire criminal justice apparatus.

Fear of crime aroused by media sensationalism is often quite irrational in terms of the likelihood of the individuals concerned becoming victims of crime. For example, people may develop a fear of murder or rape when in fact they are unlikely ever to become victims of these crimes. Irrational anxiety aroused in this way can militate against the systematic reform of the system as a whole.

Since fear and concern are not only different in kind but

Public concern and fear about crime

are also quite different in the effects they have on the community, it is the aim of this chapter to examine research data on both fear of crime and concern about it.

The public survey

In order to obtain some empirical measure of the amount of fear and concern about crime in this country, a survey was conducted in the three major capital cities and in one rural centre. The survey also covered attitudes towards various aspects of criminal justice as well as a detailed investigation of public views on judicial sanctions. These and other aspects of the study will be discussed in subsequent chapters.

Altogether, 1,008 persons were interviewed, 313 from Sydney, 311 from Melbourne, 313 from Brisbane, and 71 from Laidley, a small rural town about fifty miles west of Brisbane. The samples were drawn using multiphase random techniques which ensured adequate representation of various socio-economic and demographic groups in each of the four centres. Starting addresses were selected from detailed street maps of each city, and interviewers were required to conduct four interviews, working from the starting address they were given. Only one person was interviewed from each household, and no two interviews were conducted in adjacent houses.

In each house visited, interviewers asked for the youngest male over sixteen years old. Records were kept of the sex and age of respondents so that interviewers could vary this selection procedure if their samples became unrepresentative in any way. All calls were made in the evenings or at week-ends to ensure maximum coverage of working people.

Interviews were conducted by trained university students in each centre. Intensive training and supervision of interviewers ensured that they knew how to administer the questionnaire and how to locate respondents before the commencement of the survey.

As indicated above, the questionnaire covered not only concern about and fear of crime, but also attitudes towards police, courts, corrections, and the sentencing process. This chapter, however, will deal only with concern about and fear of crime. The complete questionnaire is presented in Appendix A.

Public concern about crime

Firstly, then, the survey set out to obtain some objective measure of public concern about crime. Respondents were given a list of six domestic social problems⁴ and asked to say which they had been "paying attention to" recently. Results are presented in table 1.

TABLE 1. Public concern about domestic problems

Problem	Percentage paying attention *	Percentage most concerned +	
	Australia	Australia	U.S.A. **
Poverty	40	11	7
Inflation	38	13	15
Education	58	31	17
Crime	45	15	23
Race relations	43	14	32
Unemployment	21	4	6
Total frequencies	1,008	1,008	11,881

* Percentages do not add to 100 because most people gave more than one answer.

+ Percentages do not add to 100 since some people did not answer at all.

** Adapted by using weighted totals from Table 16, p. 49, *The Challenge of Crime in a Free Society* (Washington, D.C.: U.S. Government Printing Office, 1967).

By far the largest proportion of the population (58 per cent) claimed that they were paying attention to education. This was followed by crime (45 per cent), race relations (43 per cent), poverty (40 per cent), and inflation (38 per cent), with unemployment (21 per cent) being the issue least likely to draw public attention.

Public concern and fear about crime

Respondents were then asked to say which of the problems they were most concerned about, naming only one of the issues given. Results on this question showed very little variation in the order of preference, though education, still first, was named twice as often as crime, which ranked second. The results of this question are directly comparable with those obtained from studies conducted in the United States, since the questions used in both countries were identical. The pattern in America was quite different, with race relations being most frequently chosen (32 per cent), followed by crime (23 per cent), education, inflation, poverty, and unemployment.

It should be mentioned at this stage that "concern" as measured by these questions probably also encompasses what could be more correctly designated "fear". In other words, people whose anxiety is manifest only in attempts to protect themselves could well be numbered among those who felt that crime was a subject of major concern. Examination of later questions will clarify this issue and help to differentiate more precisely between fear and concern.

Demographic variations in concern

An attempt was made to determine whether public concern about crime was more predominant amongst members of certain groups in the community. As table 2 indicates, geographical area, occupation, and education were the major factors which affected concern about crime.

On examination of the geographical differences, it was found that concern about crime was strongest in Sydney (19 per cent), with 16 per cent of people from Melbourne and only 10 per cent from Brisbane showing concern. Looking at the three cities, the fact that concern is higher in the southern capitals than in Brisbane is not really surprising,

TABLE 2. Public concern about domestic problems analyzed by area, occupation, and education

Sample	Percentage * Naming Each Problem							Total Frequency †
	Poverty	Inflation	Education	Crime	Race Relations	Unemployment		
<i>Analyzed by Area</i>								
Brisbane	10	16	28	10	18	6	313	
Sydney	11	12	27	19	13	4	313	
Melbourne	12	11	39	16	12	1	311	
Laidley	15	6	35	20	10	11	71	
<i>Analyzed by Occupation of Respondent</i>								
Professional and Managerial	8	18	41	8	10	3	146	
Other white collar	12	10	31	17	21	3	157	
Manual workers	9	13	21	22	12	9	209	
Others	13	11	34	14	13	4	488	
<i>Analyzed by Education of Respondent</i>								
Primary	15	11	23	20	7	9	206	
Secondary	11	12	30	15	17	4	505	
Tertiary	7	13	51	5	13	2	150	
Technical	10	13	31	15	12	2	139	

* Percentages do not add to 100 because some people did not answer.

† Frequencies do not always add to 1,008 for the whole sample since some people failed to give their occupation or education.

Q. There are many problems facing our country these days besides foreign affairs [List shown]. Of those problems, which one have you been most concerned with?

since the absolute amount of crime occurring in the larger cities is higher. It is not unreasonable to assume that more crime reports would reach the public through the media in large cities and this in turn could lead to greater concern about crime in major metropolitan areas.

Education and occupation also had a strong effect on the overall results. Those with higher educational or occupational status were less likely to say crime was a problem of major concern than were those with primary education or in manual occupations. Since both occupation and education are common indices of socio-economic status, it would appear that people with high socio-economic status are much less likely to be most concerned about crime than are those lower down on the socio-economic ladder.

These variations are undoubtedly influenced by the fact that the analysis to date is based only on the problem which aroused the *most* concern. Results overall showed that those with higher socio-economic status paid attention to more issues than did those with low socio-economic status. Consequently part of the the difference in levels of concern between the two groups can be explained by the fact that, although about the same percentages of low and high socio-economic status respondents paid attention to crime, low-status people were more likely to view it as a topic of prime concern, while high-status people were more concerned about education and inflation.

In order to obtain further information on public concern about crime, a series of questions concerning specific aspects of crime was asked. These questions endeavoured to establish whether concern was linked to the actual amount of crime occurring, and also whether it was reflected in the adoption of precautionary measures.

Public perceptions of crime rates

Information on whether people thought crime rates were rising or falling was necessary in order to ascertain whether perceptions of fluctuations in the crime rates affected the degree of concern the public felt about crime. Two questions about current crime rates were asked, one related to rates in the respondent's neighbourhood and one to the overall rates in the city in which the respondent lived. Table 3 presents the main findings from both of these questions.

TABLE 3. Crime rates - neighbourhood and city

Q. Thinking about crime in this neighbourhood (city), do you think things have been getting worse or staying about the same during the past few years?

NEIGHBOURHOOD Sample	Percentage Giving Each Response					
	N.A.	D.K.	Getting Worse	Staying the Same	Getting Better	Total Frequency
<i>Analyzed by area</i>						
Brisbane	0	10	23	60	7	313
Sydney	0	11	41	44	4	313
Melbourne	0	9	36	52	3	311
Laidley	0	0	14	70	15	71
Australian total	0	10	33	52	5	1,008
CITY * Sample	Percentage Giving Each Response					
	N.A.	D.K.	Getting Worse	Staying the Same	Getting Better	Total Frequency
<i>Analyzed by area</i>						
Brisbane	0	6	68	25	1	313
Sydney	0	5	80	14	1	313
Melbourne	0	5	74	19	2	311
Australian total	0	5	74	19	1	937

N.A. = No answer.

D.K. = Don't know.

* Since Laidley is a very small town, it has been regarded here as a "neighbourhood"; the second question became redundant and was therefore omitted for Laidley.

Public concern and fear about crime

As the table shows, people tend to think that crime is increasing in their city rather than in their neighbourhood. It would appear from the results that people feel that crime is increasing, but that this is due only to increased rates in certain areas, rather than to a uniform increase all over the city. Because the sampling procedure was such that respondents were drawn from widely scattered areas all over each of the cities, it was impossible to ascertain geographically which respondents had said that the crime rate was increasing in their neighbourhood.

However, analysis did reveal that older people thought the local situation was worsening, and so did those from households where the head of the household was from a professional or managerial occupation. Respondents were then asked to give reasons for their answers. The most common reason for increases in neighbourhood crime was that property crime was increasing. For the question dealing with increased crime in the city generally, assault was blamed by 18 per cent of our sample and property offences by 17 per cent. Hold-ups of banks and other businesses were cited by 9 per cent as contributing to the overall increase in crime.

In the types of reasons given for increasing crime, there were, however, quite marked differences between residents of the three cities in which the survey was conducted. Brisbane people were more likely to say that property crimes (16 per cent) rather than assaults (9 per cent) caused the increase. In Melbourne, answers followed the same pattern, but the percentages were 24 per cent for property crimes and 15 per cent for assaults. Sydney respondents differed in that 31 per cent blamed increasing rates of assault for the overall increase, with only 12 per cent naming property crimes. A comparatively high percentage (13 per cent) blamed bank hold-ups.

A further question was asked on the more specific topic of whether there had been an increase in the incidence of violent crime in the respondent's city. The results are presented in table 4.

TABLE 4. Incidence of violent crime

Q. Would you say there has been an increase or decrease in violent crime in this city? I mean attacks on people — like shootings, stabbings and rapes. Would you say that there is now very much more of this sort of thing — just a little more — not much difference — or that there is no more than five years ago?

Sample	Percentage Giving Each Response								Total Frequency
	N.A.	D.K.	Very Much More	Just a Little More	Not Much Difference	No Increase	Even Less		
<i>Analyzed by area</i>									
Brisbane	1	4	26	42	17	7	3	313	
Sydney	1	2	55	28	8	6	0	313	
Melbourne	0	5	44	32	12	5	2	311	
Laidley	0	0	7	0	7	83	3	71	
<i>Analyzed by age* of respondent</i>									
16-25	1	6	36	32	11	11	2	287	
26-45	1	3	37	34	11	12	2	370	
46 and over	1	2	44	29	13	10	1	348	
Australian total	1	4	42	34	12	6	2	1,008	

* Three respondents failed to give their ages.

Public concern and fear about crime

Clearly, results from this question strongly support the earlier findings that Sydney residents are much more likely than those from Brisbane or Melbourne to perceive an increase in crimes of violence. As far as the three metropolitan areas are concerned, then, it would appear that where the public perceive the crime rates as increasing, particularly with regard to violent crime, there is also considerable concern about crime as a social problem.

Perceptions of rates of specific offences

A further series of three questions was asked, requiring respondents to estimate the number of murders, rapes, and bank hold-ups which had occurred in the previous twelve months. The purpose of these questions was twofold. Firstly, it was hoped to obtain some idea of the accuracy of the public's estimate of the amount of serious crime actually occurring in Australia. Obviously, direct comparisons could not be made between perceived and actual rates because of the inconsistency of crime recording procedures in the three states, but at least a rough comparison could be made. Secondly, asking for estimates of the number of crimes which occurred over a specific period gave a quantitative measure allowing us to compare different demographic and geographical areas.

In order to obtain a central measure of estimates made by each group, statistical medians were calculated. Because of the bi-modal distribution of the answers, often with a small number of respondents making extremely high estimates, it was impossible to use the arithmetic mean as a valid statistical measure.

As was expected, Brisbane and Laidley people gave much lower estimates than did those from the southern states. Although it was difficult to obtain accurate official statistics

TABLE 5. Public estimates of amount of violent crime

- Q. About how many people would you guess were murdered in this state in the last 12 months?
- Q. About how many rapes would you say were reported in this state in the last 12 months?
- Q. About how many bank hold-ups would you say took place in this state in the last 12 months?

Sample	Median estimate for each group for each crime			
	Murder	Rape	Bank Hold-up	Total Frequency
<i>Analyzed by area</i>				
Brisbane	14.00	36.36	10.63	313
Sydney	47.83	72.50	66.32	313
Melbourne	26.11	41.67	31.74	311
Laidley	14.68	32.86	11.48	71
<i>Analyzed by sex</i>				
Male	26.00	55.00	30.59	478
Female	20.83	40.00	21.54	527
<i>Analyzed by age</i>				
16-25	35.71	53.33	35.00	287
26-45	19.55	47.69	23.75	370
46 and over	18.81	37.00	21.67	348
<i>Analyzed by occupation of head of household</i>				
Professional and managerial	24.38	52.50	31.00	246
Other white-collar	21.43	53.33	30.50	154
Manual workers	20.00	41.00	20.00	386
Others	20.00	32.73	26.36	169
<i>Analyzed by education</i>				
Primary	15.86	32.00	13.75	206
Secondary	26.92	45.00	30.00	505
Tertiary	32.35	58.67	24.44	150
Technical	26.67	50.71	35.24	139
Australian total*	25.71	47.86	29.33	1,008

* Some respondents failed to provide full demographic information, so totals do not always add to 1,008.

for bank hold-ups, reliable figures for murder and rape were obtained from the relevant state police commissioners' annual reports. Overall, it appeared that respondents had

underestimated the amount of crime committed for all three offences. For instance, the median scores for murder in Queensland, New South Wales, and Victoria were 14, 48, and 26 respectively. Comparable figures from the police reports were 18, 52, and 44, showing that the Victorian public had made the greatest error as judged by official police figures. For rape an even greater underestimation occurred.

Although there were large state differences in the estimates made, it was decided to combine all results from all four centres to further analyze demographic variations in crime awareness. The results show quite clearly that men made consistently higher estimates of the amount of crime than did women. Similarly, young people made higher estimates than did older people, and those with higher socio-economic status generally made higher, and therefore more accurate, estimates than did those with lower status.

It is worth noting that the pattern of responses obtained indicated that many people had very little idea of the actual numbers of crimes committed. Responses in almost all cases clustered around the median, but the upper limit of responses was often extremely high. For example for murder, 8 per cent of the total sample said that over 100 murders had been committed, 9 per cent estimated over 200 rapes, and 13 per cent said over 100 bank hold-ups. There were also large gaps in the distributions of responses – relatively few people gave answers of between 50 and 100 – indicating perhaps that the responses were based largely on guesswork and therefore centred on the “round figures”.

Inspection of the frequencies for each demographic group gave some indication that the answers given by professionals and managers, and also by those respondents with higher educational qualifications, were more realistically based than those of other socio-economic groups. For these groups, answers tended to cluster around the median points, and the distributions did not exhibit the same bi-modal pattern as did those for lower occupational and educational groups.

It has been established, then, that there is considerable public concern about crime in this country, that most people feel that it is increasing, and that some people have unrealistically high perceptions of the amount of crime which actually occurs. Residents of Sydney and Melbourne, the largest centres, were more concerned than people from Brisbane, and were also more likely to think that crime was increasing. Those with lower educational and occupational status were more concerned than those higher up the scale, yet these same people were also more likely to perceive an increase in the amount of crime occurring. Similarly, older people perceived a bigger increase in the amount of crime, but young people were much more inclined to think that the absolute amount of crime occurring was greater.

Given the amount of crime in the community, and the fact that people generally are underestimating the crime rate, it is quite probable that, if more people were aware of the actual rate, the level of community concern would be considerably higher than it is now. It cannot of course be said that murder, rape, and bank robbery are representative of all criminal offences. However, it is not unreasonable to assume that, if the true extent of even these three offences were known to the metropolitan community, there would be more concern about crime than was reflected in the survey figures presented in this chapter.

Public fear of crime

So much for the question of concern about crime. It remains now to look at fear of crime. It is well known that in America, where there is more concern about crime than there is in Australia, many individuals take positive steps to protect themselves and their property against criminal attacks. A recent survey of Boston and Chicago showed that 28 per cent of respondents stayed off the streets at night, and a further

Public concern and fear about crime

21 per cent used cars or taxis at night in preference to walking.⁵ As well, a nationwide survey in the United States revealed that 82 per cent of respondents kept their doors locked at night, 25 per cent kept their doors locked during the day when the family was at home, 18 per cent kept watch-dogs, and 37 per cent kept firearms in the house for protection.⁶

Australian respondents were presented with a list of fairly common preventive measures and asked to say whether they had used any of these through fear of crime. The list included many of the methods named in the United States surveys. Not all of the activities required positive action on the part of respondents — some of the items, for example, involved refraining from engaging in certain activities such as going out alone or going out at night. The results are presented in table 6.

TABLE 6. Methods of protection against crime

Response	Percentage of sample who take this precaution				
	Brisbane	Sydney	Melbourne	Laidley	Australian Total
Take more care in locking up your house?	72	75	73	51	73
Use taxis or drive at night rather than walk?	61	61	53	30	58
Avoid being out alone?	49	51	48	37	49
Stay off the streets at night?	43	44	44	24	44
Keep a watch-dog?	30	32	24	41	29
Install special locks or chains on doors and windows?	20	26	18	8	21
Own or carry weapons now?	6	10	8	1	8
Total frequencies	313	313	311	71	1,008

From table 6 it is apparent that people's fear of crime leads them to considerable modification of their personal and social behaviour. For example about three-quarters of the urban sample said they took added care when locking up their houses at night. More significantly, perhaps, over half the population of the major metropolitan areas stated that they drove rather than walked at night and the majority also said that they avoided talking to strangers.

Significantly, the people who were most likely not to talk to strangers and to take other precautions were the older respondents living in poorer suburbs. Clearly those whose social and personal life was most disrupted by a fear of crime were those who were already disadvantaged in the community. This was particularly evident when we asked questions about the insurance coverage of household goods against theft or burglary. To begin with, 63 per cent of the urban sample admitted to carrying such a policy. There were differences between Brisbane and the southern cities, with only half of the Brisbane respondents being insured compared with two-thirds in the more crime-conscious cities of Sydney and Melbourne.

More importantly, it was found that there were large differences between socio-economic groups on this question. Those in professional or managerial positions were much more likely to carry property insurance, 81 per cent having a general household contents policy, compared with 66 per cent of other white-collar workers and only 47 per cent of manual workers. It would appear then that working-class people express the greatest concern about crime but unlike their white-collar counterparts are in the unfortunate position of not being able to compensate themselves in the event of becoming victims of crime.

Firearms and other weapons

In the United States, in 1968, guns were used in 8,870 murders, 64,980 aggravated assaults, and 99,000 armed robberies. Guns were also used in that year in over 10,000 suicides and in over 2,500 accidental deaths. In fact, it is possible that as many as one hundred million Americans own guns. The right of every citizen to carry arms, guaranteed by no less an authority than the American Constitution, has led to violence on a massive scale. Despite the destruction of human life caused by the use of firearms each year, attempts to limit the sale and possession of guns are bitterly opposed by powerful and well-organized pressure groups in the United States – particularly sporting bodies.

Legislation concerning firearms in Australia is generally stricter, particularly in the case of concealable weapons. However, it is still legal in some states for people to purchase rifles without a licence. Occasional periods of indemnity are offered by police, when people can bring in unlicensed weapons and either leave them with the authorities or have them rendered harmless. During these periods, no action is taken against people who own guns which should be licensed but are not.

We asked our respondents whether any member of their household owned a firearm. Overall, 19 per cent reported that someone in the house owned a gun – 9 per cent owned one themselves, and 10 per cent said someone else in the household owned a gun. There was considerable variation between the urban centres and Laidley, with 38 per cent of households visited in Laidley having a firearm. This is perhaps to be expected in a farming community, where guns are likely to be needed in disposing of snakes, foxes, and other predatory animals.

Practically all those who owned guns said they were kept mainly for hunting or marksmanship, though 3 per cent said they were primarily for protection. But it was clear from

comments made, that many of those who possessed firearms would have little or no hesitation in using them in defence of person or property if the situation arose.

Few respondents kept weapons of any other type. Some of our respondents said they kept iron bars or pokers, or that they would use torches or other common household objects as weapons if the necessity arose. Guns, then, were by far the most popular weapon though it appears that few Australians own a gun specifically to protect themselves in the case of criminal attack.

Conclusion

Our survey has shown that there is a relatively high degree of public concern and fear about crime. Admittedly, it is not as acute as in the United States, but sufficient Australians are modifying their personal and social behaviour to warrant concern. Australia has not yet reached the stage where people will walk past and look the other way while someone is being bashed in the street, but there is evidence of a growing withdrawal and distrust — a social paranoia. This can be seen by the fact that over half of the respondents avoid talking to strangers because of fear of crime and equally large percentages stay off the streets after dark and avoid being out alone. The consequences of these attitudes and behaviour patterns will be discussed in the final chapter of this book.

3 / THE TOOLS OF JUSTICE

Introduction

The quality of justice dispensed in a community is dependent not only on the law itself but on each of the agencies responsible for its administration. A breakdown at any point in the system means that the quality of justice is impaired. Empirically, one can measure not whether justice has in fact been done, but rather whether justice *appears* to have been done. In order to obtain an objective measure of the standard of justice, it is possible to measure community attitudes towards what we will call the tools of justice. This involves looking at the agencies which comprise the criminal justice system as well as looking at the law itself. This chapter, then, will deal with the attitudes of the community towards the various criminal justice agencies. The following chapter will examine in both direct and indirect ways community attitudes towards laws and court sentences.

Because of the complexity of the criminal justice system, it is impossible to consider all those agencies and individuals who are either directly or indirectly involved with its operation. The study has consequently been limited to those

agencies which play the most conspicuous part in the system. More specifically the survey considered public attitudes towards the police, the courts, and finally the so-called "correctional" services – prison, probation, and parole.

The police

Logically, the police must be considered first in a discussion of criminal justice agencies, since they bear the brunt of public scrutiny, as well as being in many cases the force which actually sets the entire system in motion. They are the main point of contact between the law and the community – to many people, then, they are "the law" – the physical embodiment of the whole criminal justice system. They are seen as being responsible for the maintenance of law and order, for apprehending wrong-doers; for attending to public complaints, for protecting citizens from victimization by criminals, and for any inequities in the system as a whole.

Since the police bear so much of the responsibility for the administration of justice, it is important not only that they should be efficient, but also that the community they serve should *perceive* them as being efficient. Both for crime prevention and crime detection it is essential that the police have the respect and co-operation of the community. Attitudes towards the police, then, are dually important – firstly, the quality of the relationship between the police and the public is reflected in attitudes towards the law as a whole, and secondly, good police-public relations lead to a more effective police force and thus to the efficient functioning of the system as a whole.

Unfortunately, the police are often blamed for courses of action or policies which have been determined by parliament or by other government agencies. Campaigns against specific types of offence such as motoring infringements or civil

disturbances can be instigated for primarily political reasons. If these campaigns are unpopular with the community as a whole, or with certain sections of the community, then their disapproval is more often than not directed only against the police and not against the actual instigators of the campaign. It is important therefore that not only the police, but also the legislative and policy-making bodies, should be aware of the importance of their public image and of possible ways of enhancing that image. Some knowledge of the problems associated with police relations with the public could well mean that politicians would refrain from placing them in positions which can only lead to a deterioration in police-public relations.

Public relations and police powers

In our survey of the three eastern capitals a total of 39 per cent of those interviewed reported having great respect for the police, 48 per cent had mixed feelings, and 12 per cent had little respect. There were some differences between cities – in Sydney, only 34 per cent had great respect, 49 per cent had mixed feelings, and 17 per cent had little respect. It would seem that the climate of opinion now is not quite as favourable towards the police as it was in 1968 when Chappell and Wilson carried out an Australia-wide survey which found that 64 per cent of Australians had great respect for the police.¹

Certain demographic variables affect attitudes towards the police. Women generally view them more favourably than men. Age has a very marked effect on attitudes. Of the people aged between sixteen and twenty-five, only 25 per cent had great respect for the police and 18 per cent had little respect, while people in the twenty-six to forty-five group registered 41 per cent who had great respect, and 53 per cent of those over forty-five also had great respect.

Similarly, those with higher education had less respect.

It is important that these demographic differences, while they might seem fairly obvious to most observers, should be substantiated by the data available, enabling remedial action to be based on fact and not on speculation. Since public discontent with the police seems to be fairly strongly centred in certain sections of the community, future plans for improvement of relations can be directed towards these groups. Liaison with universities seems to be particularly poor, and leaves room for improvement on both sides, though in many ways this is probably due more to policies set down by governments than to any action by the police themselves. During the recent football tours, for example, police action in most states was directed by parliament, but since the police were actually in the front lines of the confrontations they bore most of the aggression generated among the demonstrators. Although the governments claimed majority support for their use of the police during the tours, certain groups were definitely alienated by police actions, so the overall effect in terms of police-public relations was probably more negative than positive. This is perhaps a good example of police being used for political purposes, with a subsequent detrimental effect on their relations with such groups as students, young people generally, some political groups, and perhaps even some religious groups.

Our study attempted to measure the effect of the Victorian abortion inquiry on the public image of the police. The issue was raised with all respondents, not just those in Melbourne, since it was felt that interstate publicity could have had repercussions in Sydney and Brisbane. In Melbourne, 23 per cent of respondents claimed that their opinion of the police worsened as a result of the inquiry, while only 4 per cent claimed that it had improved their opinion of the force. In Sydney, 13 per cent said their opinion was lowered, compared with only 7 per cent in Brisbane. It is interesting to note that in the Queensland rural

area the inquiry had a favourable overall effect on public opinion – only 3 per cent claimed that their opinion was lowered, compared with 13 per cent who claimed it had improved!

There were few demographic differences on this question – women's attitudes had changed for the worse to a slightly greater extent than those of men. Similarly, the opinion of those with higher education tended to have deteriorated slightly more, but the differences were not pronounced.

The handling of complaints against the police has also been a source of public criticism in recent times. Suggestions have been made that complaints should be handled not by the police themselves but by outside agencies not subject to the loyalties which operate within the force. Respondents were asked whether they thought complaints against the police should be handled by the police themselves, by outside tribunals, or by tribunals composed of people from both inside and outside the force. Overall, 71 per cent said complaints should be handled by outside tribunals, 16 per cent said they should be handled by police, and 6 per cent said they should come before combined tribunals.

Demographic variations did not give rise to any significant differences in responses, except in the case of rural respondents, 59 per cent of whom thought complaints should be handled by outside tribunals, while 31 per cent thought they should be handled by the police themselves.

The question of police powers has recently received a great deal of publicity. Once again, this is an area in which the police can suffer considerably because of decisions made by politicians. For example, police use of certain powers, such as telephone tapping, probably causes more animosity towards the police, who are only acting as agents in exercising these powers, than towards the legislators who granted the powers.

A series of questions was asked concerning certain powers which had come under criticism. Results are presented in table 7. Respondents were first asked whether they thought

police powers were adequate at the moment. Overall, 53 per cent considered that the police had about the right amount of power, 16 per cent said they had too much, and 21 per cent thought they did not have enough. There was little variation between cities, though rural respondents were much more likely to say the police did not have enough power (31 per cent), and only 8 per cent said they had too much.

TABLE 7. Attitudes towards police powers (Percentages)

	N.A.	D.K.	Too Much	Not Enough	About Right
Do you think the police in this state have too much power – not enough power – or about the right amount of power?	1	10	16	21	53
	N.A.	D.K.	Yes	No	
Do you think the police should have the power to hold a suspect for up to 48 hours (2 days) for interrogation without officially charging him with an offence?	0	7	26	67	
Do you think the police should have the power to fingerprint anyone after charging him?	1	4	69	26	
Should the police have the power to search without a warrant?	0	1	12	86	
When the police arrest a person, should he have the right to have a lawyer present before the police begin to question him?	0	3	88	8	

Age had a marked effect on response to the question. Those in the younger group were more likely to say police

had too much power (20 per cent), while those aged over forty-five were more likely to say they had too little (25 per cent). Occupation also affected answers to this question. A lower proportion of professionals and managers said that the police had too few powers. Possibly this result was in part due to the fact that people from higher occupational groups are much less likely to feel the full effects of police powers – police would perhaps be more restrained in their handling of people with high occupational status who are far more likely to know their legal rights and to seek legal advice.

Those who thought the police had either too much or not enough power were asked to give reasons for their answers. Three main reasons emerged for the belief that existing powers of police were excessive: it was claimed, firstly, that their powers enabled them to engage in various forms of corruption; secondly, that they have insufficient concern or sense of responsibility about the powers they have; and thirdly a small percentage objected specifically to the use of radar traps and breathalysers. Those who thought the police did not have enough power usually cited specific circumstances, such as the inadequacy of power to deal with troublesome young people. A small percentage said police should be permitted to use more physical force than they do now, and should be armed.

To some extent, the opinions expressed concerning specific powers appeared to belie the answers to the general approval expressed in response to the first, non-specific question. For example our respondents were asked whether police should have the right to hold a suspect for two days without a charge. Overall, two-thirds of the sample said they should not. There was little difference between cities on this question, and rural attitudes were the same as urban attitudes. A considerably higher percentage (77 per cent) of those with tertiary education disapproved of police having this power.

The second question concerned fingerprinting. Sixty-nine

per cent of the whole sample said that the police should have the right to fingerprint anyone after charges have been laid against him. Age had a considerable effect here. Younger people, paradoxically, were much more likely to say that police should have the power to fingerprint.

The third question concerned the right to search without warrant – a right which police already have in specified circumstances. Overall, 86 per cent of informants did not think police should have this power. Occupation appeared to have some effect here – manual workers disapproved more strongly than did white-collar workers.

Finally, respondents were asked whether they thought a suspect should have the right to have a lawyer present during police interrogation. Of all respondents, 88 per cent said that he should. There were no important demographic variations in answers to this question.

Responses to these four questions show that, although 53 per cent of respondents claimed that police powers were “about right now”, quite large percentages were opposed to police having certain powers which they already possess and were against extensions of police powers. In some ways, then, attitudes towards police powers seem ambivalent. Further investigation of this field might show that public perception of the adequacy of police powers is dependent on issues which were not covered by this survey. It is also quite likely that most citizens are simply not aware of the extent of the powers which the police may already exercise.

Police efficiency

Finally, the questionnaire turned to police efficiency. Respondents were asked whether they thought the police gave them adequate protection against crime. Overall, 56 per cent answered affirmatively, with only 35 per cent saying they were not adequately protected. There were considerable

differences between cities. In Brisbane, only 27 per cent thought they were not adequately protected, compared with 35 per cent in Melbourne and 44 per cent in Sydney. In Laidley, a mere 10 per cent said they did not receive adequate protection. Manual workers and those with lower education were more likely to feel that police protection was inadequate.

Those who thought police protection was inadequate were asked to give some supporting reasons for their views. The most popular response was that there were not enough police, or that police were too slow, inefficient, and unenthusiastic about their work. Others claimed that the police did not pay sufficient attention to public complaints. A small percentage specifically mentioned bad police methods, bad communications, and inadequate records and filing systems.

The final question concerning police asked whether respondents felt that police numbers in their state were sufficient. In Brisbane, 72 per cent said that there were not enough police, compared with 77 per cent in Sydney and 84 per cent in Melbourne. Of the remainder in each city, most thought that there were about the right number, and very small percentages thought that there were already too many police.

There were some demographic differences on this question. Those aged twenty-five or under were more likely to think that there were about the right number of police. Those with higher occupational status were more inclined to think there were not enough police.

Considering all questions asked about the police, it would appear that Australians are fairly satisfied with the way in which their police forces are run, at least as far as major metropolitan areas are concerned. Queenslanders, it would seem, are slightly more satisfied than people from New South Wales and Victoria. Despite specific criticisms of some police powers and a general feeling that the forces are understaffed,

the majority of people interviewed had either great respect or mixed feelings about the police, and few claimed that they had little respect.

In general, it can be said that young people and people with tertiary education are the two groups which are most critical of the police. This result is not unexpected, given the almost universal findings in western countries that young, educated persons have far less respect for the police than do other sections of the population.

The courts

Theoretically, the courts play the most important role in the dispensation of justice. The court should ideally reflect the views of the community in determining whether or not an individual has infringed the code of that community, and should if necessary pass down a judgment which is in accordance with the views or beliefs of the majority of citizens in the community.

In practical terms, courts do not always function quite as the community would perhaps wish. Firstly, as we will see in detail later in this book, [The courts, reflecting current law, punish many forms of behaviour which the majority of citizens would not consider deserving of punishment at all.] In this way, the courts, and the legal code by which they operate, have developed a momentum of their own, quite separate from the norms of the community. This contributes to the elitism of those involved in the operation of courts and the administration of justice. Rightly or wrongly laws are no longer made by the people — they are made by a small group of legislators who consider themselves qualified in this regard, but who may not actually reflect community norms.

The question of whether the law should conform to majority opinion or to the values and philosophy of an elite which is devoted to its perpetuation is one which has recently

become the focus of considerable public debate. In England the Wolfenden Committee² forcibly brought this issue into the open, but since then the protagonists in the battle for legal reform have explored the inadequacies of the existing criminal law in some detail.³ Clearly current laws relating to such areas as homosexuality, abortion, and drug-taking in Australia do not reflect the diverse values of a pluralistic society.

Further, the very appearance of a criminal court in session is an anachronism: peruked judges in black robes continue to use verbiage which is virtually unintelligible to all except the initiated. Modernizing legal language, legal dress, and the court procedures and rituals would be relatively easy. Unfortunately the resistance of the legal profession to social change makes it unlikely that this will ever happen.⁴

But the question that concerns us here is this: Are Australians satisfied with the structure and operation of their criminal justice system? Perhaps majority public opinion should not be used as the sole criterion for judging the adequacy or otherwise of the criminal justice system — opinion is only valid when it is based on at least some knowledge and understanding of the topic — but nevertheless it does give some indication of public perceptions of the operation of the legal system which can be of value in assessing where inadequacies lie and also in locating and correcting public misconceptions about the system.

Firstly, respondents were asked whether they thought criminal courts usually gave people a fair trial. Over all cities, only 22 per cent of informants claimed that the courts always gave people a fair trial, 57 per cent claimed that trials were usually fair, and 8 per cent said they were usually not. There were only very minor differences between the three capital cities, though results from Laidley differed quite considerably — 51 per cent claimed that trials were always fair, 42 per cent that they were usually fair, and only 3 per cent that they were usually not. Young people were slightly

more sceptical about court decisions, as were those with tertiary education.

Respondents were then asked to give reasons for answering as they did. Ten per cent said that fairness depended on financial status – that you were much more likely to get a fair trial if you could afford a good barrister. Other reasons for unfairness included the use of only circumstantial evidence, police prejudice, the influence of the media in covering some cases, and differential treatment of cases by judges. A very small percentage said that criminals were usually let off too lightly and should receive harsher penalties.

Respondents were also asked whether they thought that sentences were generally too lenient, too harsh, inconsistent, or about right. Fifty per cent of the Brisbane sample said that sentences were generally too lenient, compared with 35 per cent from Sydney, 34 per cent from Melbourne, and 30 per cent from Laidley.

TABLE 8. Views on criminal court justice (Percentages)

Q. How do you feel about the sentences that are usually handed out by the courts in criminal cases here? Do you think they are too lenient, too harsh, or about right?

	Brisbane	Sydney	Melbourne	Laidley
Too lenient	50	35	34	30
Too harsh	4	5	6	10
About right	25	32	34	49
Inconsistent	9	12	12	6
No answer	0	0	0	0
Don't know	12	15	14	6
Number of respondents	313	313	311	71

Demographic differences were very marked on this question. People aged twenty-five or under were much more likely to think that sentences were about right than that they were too lenient. There were few major occupational

variations. Education had a marked effect — those with tertiary education were more inclined to say that sentences were inconsistent than that they were too lenient. Only 23 per cent of tertiary educated respondents thought that sentences were too lenient, compared with over 40 per cent of those with primary or secondary education.

Moving from public evaluation of the decisions made in the courts to actual court procedures, the survey explored people's opinions on whether the guilt or innocence of an accused person in criminal cases should be decided by a jury, a single judge, or a panel of judges. Overall, 66 per cent favoured the jury system and 24 per cent were in favour of a panel of judges. There were few differences between cities and little demographic variation on this question. It would seem that the jury system is fairly widely approved by most sections of the community.

When those interviewed were asked whether they would be prepared to serve on a jury if they were eligible, most people replied that they would. However, there were some outstanding demographic differences. Eighty-two per cent of men said they would be prepared to serve, compared with only 58 per cent of women. Similarly, younger people, professionals and managers, and those with tertiary or technical education were more willing to serve than other groups.

Of all respondents, 6 per cent had served on a jury, and a further 4 per cent had been asked but had not served. When this was analyzed by sex of respondents, 12 per cent of men had served, and a further 6 per cent had been asked but not served, while only 1 per cent of women had served and 2 per cent had been asked. More older people had served, as would be expected since they had been eligible for a longer period. It was also found that more people with lower education had served, while more of those with tertiary education had been asked but had not actually appeared. Results for this question are undoubtedly affected by the ineligibility of

some groups for jury service — for example, public servants.

Surprisingly, only 54 per cent of respondents said that all twelve jurors should have to agree in establishing the guilt or innocence of a person. A further 29 per cent said between nine and eleven should agree, with 14 per cent saying seven or eight. There were no major demographic differences on this question.

Corrections

The correctional process can be regarded as the third and final stage of the existing criminal justice process, and perhaps the one which least affects the general public. Comparatively few people have ever seen the inside of a prison, and those who have personally experienced the system are unlikely to discuss it openly because of the social stigma attached to having been in a custodial institution.

But in recent times considerable publicity has been given to the conditions of prisons and prisoners in many western countries. Reports of the Attica riots in New York shocked Australians as well as Americans. George Jackson's letters from Soledad⁵ have received considerable publicity, not only in "underground" newspapers but also in the traditional media. In Australia, prisoners are beginning to follow the American example of militancy and protest. Since the survey was conducted, prisoners at Melbourne's Pentridge prison have taken strong action to bring their conditions and problems to the public's attention.

Even with this recent publicity, however, what happens in prisons does not directly affect the life-style of community members. Prisons and prisoners are usually out of sight of most members of the community. In addition, politicians pay scant attention to prison reform because such an issue lacks any electoral pay-off. Judging, then, by the apathy of politicians and also by the fact that the public generally felt

that sentences given by courts were quite lenient, one would expect that most members of the community would consider prisoners deserved all they got and perhaps a little more besides.

However, with growing publicity being given to the ineffectiveness of the prison system as a deterrent to crime generally and the prisoners specifically, it was decided to investigate views on alternative non-custodial sentences which courts could impose. Traditional forms of non-custodial care such as probation and parole, along with week-end detention and other innovations, are obvious alternatives and have already received some publicity in the Australian media.

The authors expected that few people would know very much about probation and parole and that therefore it would be unwise to go into too much detail about attitudes towards their application. Dealing first with parole, respondents were asked to describe what it was in their own words. Three items of information were deemed necessary for a complete answer; first, that a parolee had served some time in prison; second, that he was released early; and third that he was under some form of supervision. Overall, only 27 per cent of answers mentioned all of these aspects, 36 per cent gave two, and the remainder were entirely wrong or did not attempt to answer. Those who were correct were slightly more likely to be male, aged twenty-six to forty-five, and with tertiary education.

When they were asked what type of offenders should be placed on parole, most people said non-dangerous or well-behaved prisoners who had committed minor offences, while others said first offenders. A small percentage said all offenders should be eligible for parole.

People appeared slightly more familiar with probation. Only two points had to be covered for an answer to be judged as correct – the fact that probation was non-custodial and that it involved supervision. Overall, 35 per cent answered correctly, 16 per cent had one point correct, and

48 per cent were completely wrong or did not attempt to answer the question. Again males, people aged twenty-six to forty-five, and those with higher education were more likely to be correct. Generally, probation was recommended for the same types of offenders as parole was, though probation appeared to be more popular amongst the public for young offenders than was parole.

We began our questions on prisons by asking people whether they thought prisoners were treated too leniently, too harshly, or "about right". Of all respondents, 39 per cent said about right, 15 per cent thought they were treated too harshly, and 9 per cent thought they were treated too leniently. City differences were quite pronounced, with people from Brisbane being much harsher than those from Sydney or Melbourne. Laidley respondents were even harsher on this question. Young people were more likely to think that prison treatment was too harsh, as were those with tertiary education.

TABLE 9. Views on treatment of prisoners (Percentages)

Q. In general, do you think that prisoners are treated too leniently, or too harshly, or about right in this state?

	Brisbane	Sydney	Melbourne	Laidley
Too leniently	15	7	6	25
Too harshly	11	20	15	7
About right	37	37	42	56
No answer	1	1	0	0
Don't know	36	35	37	11
Number of respondents	313	313	311	71

Follow-up questions concerned reasons for answers. Most respondents who thought prisoners were treated too leniently referred to specific luxuries such as allowing television in the physical environment of the prison. Some claimed that prisons were like motels. Those who thought conditions were too harsh gave two main reasons. Firstly, they blamed the

actual physical conditions within the prison, which many described as degrading. Also in this category were answers which criticized the intolerance and even sadism of prison officers, and references to the mixing of hardened criminals with first or minor offenders in the same cells. The second broad category of answers related to the lack of adequate facilities for rehabilitation, re-education, and medical or psychiatric treatment where necessary.

Having established their general attitudes towards prisons, respondents were asked to give their opinions on a series of possible penal reforms, some of which have already been implemented in some states and some of which are in operation in European countries and have been suggested for use in Australia.

Firstly, respondents were asked whether they thought prisoners should be given the opportunity of having sexual relations with their husbands or wives during their prison sentences. Just over half of those interviewed replied that they should. Men were more strongly in favour than women, and the majority of young people and those with tertiary education also replied in the affirmative.

Secondly, attitudes to week-end imprisonment – already introduced in some states – were investigated. Overall, 73 per cent of the sample favoured the scheme. Eighty per cent of Brisbane respondents agreed with it, which is quite significant since the scheme has been in operation for over eighteen months in their state. In Laidley, 75 per cent were in favour of the scheme compared with only 69 per cent in Sydney and Melbourne. Again, men and those with higher education were more in favour, although somewhat strangely, perhaps, older respondents were more tolerant of week-end detention than were younger persons.

Most respondents said that people convicted of minor, non-dangerous offences could be given week-end imprisonment, though 9 per cent said all non-violent prisoners with family responsibilities should be allowed to

live out during the week, some suggesting that this would help with their rehabilitation.

The question of whether prisoners should receive wages was also explored. In all areas, between 75 and 80 per cent of respondents said that some wages should be paid to prisoners. However, only about a quarter of the sample thought that the wages paid should be the same as those paid to non-prisoners engaged in the same work.

Regarding prison after-care, about two-thirds of the sample thought that the government should provide more assistance to prisoners to help them in re-establishing themselves in the community. Brisbane and Melbourne respondents were slightly more strongly in favour of increased assistance than were respondents in the other two centres. Over the entire sample only 2 per cent said that prisoners receive too much aid now. Thirty-eight per cent said the government should find employment for ex-prisoners, with a smaller proportion suggesting re-education programmes, an accommodation service, and financial assistance. Some respondents also suggested that the most useful step the government could take in re-establishing prisoners would be to "leave ex-prisoners alone", and "to stop persecuting them".

Our data, then, revealed that large sections of the Australian public are in favour of prison reforms of various kinds. To be sure, quite large numbers of people were not knowledgeable enough about conditions to make an informed judgment about prison reform. This perhaps is not surprising considering the relative ignorance existing in the community on other matters relating to the criminal justice system generally. However, one thing is clear from the survey results. Politicians would not feel an electoral backlash if they introduced innovations in penal procedures. Some Swedish prison procedures, it seems, would generally be accepted by the Australian community. The acceptance is clearly greater amongst the young and the educated. However, with the proportion of both groups growing in the

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community, public approval of any future penal innovations will be forthcoming.

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Introduction

Recent criticisms of the criminal law by criminologists have emphasized two major themes. The first criticism is that the law foolishly attempts to enforce private morality, particularly in such areas as gambling, drugs, abortion, homosexuality, and other sexual matters.¹ Norval Morris and Gordon Hawkins refer to this moral censorship as the "overreach"² of the criminal law. The second criticism is that sanctions prescribed by the law are often unduly severe, having little deterrent and no rehabilitative value.

It is not the purpose of this chapter to discuss these issues in any detail. Rather, its aim is to assess public opinion towards both the extent of the law's jurisdiction and the types of punishment it sets down. To do this, the chapter will consider not only attitudes towards controversial activities lying within what one of the present authors has described as "the criminal threshold"³, but also public views of common offences such as theft, fraud, vandalism, and shoplifting. Essentially, the survey was designed to measure the type and severity of sentence, if any, which respondents recommended

for selected criminal offences.

Data similar to those gathered in this study have been compiled overseas. A study conducted by D. G. Gibbons,⁴ for example, showed that in the United States second degree murder, robbery, manslaughter, burglary, and rape headed a list of crimes in terms of seriousness. It was remarkable that in Gibbons's study property offences such as burglary and robbery were regarded as being more serious than child-molesting, assault, and narcotics offences. Lowest in terms of severity of punishment was homosexual behaviour. Gibbons points out also that many respondents suggested psychiatric care be given in cases of rape, narcotics use, child-molesting, and exhibitionism. Finally his study indicates that there remain many aspects of the criminal law for which the degree of public support is unknown. Of these, "white-collar crime" is probably the most outstanding.

More sophisticated techniques were developed by Sellin and Wolfgang.⁵ They took into consideration the amount of harm or loss to the victim, as well as the age and sex of the offender and whether or not a weapon was used in the commission of the crime. Sellin and Wolfgang, however, used their techniques with specific groups, such as police, juvenile court judges, and students. Since the actual procedures they used were rather complex, it was impossible to replicate them in a public survey in which the measurement of crime seriousness constituted only one section of a wider questionnaire.⁶

The techniques to be used in our study had to meet two main requirements — they had to be both straightforward and easy to administer. Using some elements from the studies conducted by both Gibbons and Sellin and Wolfgang, we developed a procedure which met these pragmatic requirements.

The Australian crime-seriousness survey

We began by compiling a list of twenty-five offences (see Appendix A). Some of the items in the list were common offences such as drunkenness, theft, breaking and entering, and some were more serious offences such as murder, manslaughter, and rape; other offences included the more controversial ones such as abortion, drug use, and homosexual offences. Adultery, which is not a criminal offence, was included for comparative purposes.

As far as possible, the offences were described fairly generally, though in certain items the offender was described simply as "a man", "a young man", or "an adult" where this was felt to be important in determining the punishment to be given. Reference was not made to any characteristics of the victim unless it was absolutely necessary in defining the offence — for example, a sexual offence against a child, or theft from business premises as against theft from a private dwelling.

In order to obtain a realistic measure of the severity of the punishment recommended by the respondent for each offence, a list of about twenty possible sentences was compiled. These were arranged in order from the negative response, "should not be a crime", through "caution or warning", probation, fines of various amounts, and imprisonment ranging from less than six months to life, to, finally, the death penalty. A second list was compiled, containing some therapeutic measures such as committal to a psychiatric institution or out-patient medical or psychiatric care, as well as other measures such as sterilization, restitution, and whipping.

A card containing a list of all punishments was presented to each subject. The twenty-five offences were then presented, with the order varied for each subject. Respondents were asked to assign the punishment which they considered the most appropriate to each offence. They were

asked to select only one punishment from the graded list, but were able to supplement this with a punishment or treatment from the second list if they wished.

Scoring was of necessity based only on the graded list of punishments. Since the list of twenty punishments was too long to be of practical value in further analysis, a shorter list, called the severity scale, was constructed. This was done by calculating how many times each category had been used by all respondents over all offences. Nine new categories were then defined in such a way that each category had been used approximately the same number of times. The scale finally formed is presented below.

Severity Scale

1. Not a crime
2. No punishment, caution, or warning
3. Fine under \$100, probation
4. Fine of \$100 or over, imprisonment for less than six months
5. Imprisonment for six months to two years
6. Imprisonment for three to five years
7. Imprisonment for six to ten years
8. Imprisonment for over ten years
9. Life imprisonment or death penalty

For convenience, each point was assigned a number ranging from one to nine. It must be remembered, however, that the differences between the points on the scale may not be equal, since the scale is essentially a qualitative and not a quantitative one. However, we have taken the statistical liberty of calculating mean severity scores for each offence as this is a convenient way of comparing the public's perception of the seriousness of each offence. Table 10 presents the mean severity score for each offence as well as a rank ordering of offences from most to least serious, based on the severity of the punishment given.

TABLE 10. Mean severity score and rank order of twenty-five selected offences

	Mean Score	Rank Order *
PROPERTY OFFENCES		
A man steals money or goods valued at less than \$500 by breaking into a house at night	4.19	13
A man steals money or goods valued at less than \$500 from a shop or factory	3.91	15
A company director fraudulently misappropriates \$300,000 from company funds	5.91	8
A man armed with a gun holds up a bank and steals \$10,000	6.41	3
A young person defaces or destroys public property	3.29	17
A woman is caught shoplifting goods from a store	2.91	18
CRIMES AGAINST THE PERSON (Non-sexual)		
During the course of an armed robbery, a man shoots and kills an employee of the organization he is trying to rob	7.92	1
A man shoots and kills his wife whom he knows to have been unfaithful to him	6.24	5
A motorist with no previous convictions kills a person by recklessly driving a car	5.18	10
A man assaults another man. The victim requires a considerable period of hospitalization	4.51	12
SEXUAL OFFENCES		
Two adult males are caught engaging in homosexual practices in a private house	1.90	23
A man forcibly rapes a female	6.20	6
A group of youths forcibly rape a female	6.29	4
An adult male sexually assaults a young child	5.81	9
An eighteen-year-old boy has sexual intercourse with a consenting girl he knows to be fifteen	2.37	21
A father has sexual intercourse with his daughter	4.59	11
A person who is married has sexual intercourse with a consenting person who is not his or her lawful husband or wife	1.51	24
ABORTION		
A doctor performs an abortion on a woman when it is believed her child will be born with a serious mental or physical defect	1.44	25
A doctor performs an abortion on a woman when it is believed on reasonable grounds that she will be unable economically to support the child	2.37	21
A doctor has been performing abortions regularly without considering the reasons why the women want abortions	4.01	14

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(Table 10 continued)

	Mean Score	Rank Order*
DRUG OFFENCES		
A young person is found in possession of marijuana. He has no previous convictions	2.68	19
A young person is found in possession of heroin. He has no previous convictions	3.32	16
An adult is caught selling marijuana to young people	5.95	7—
An adult is caught selling heroin to young people	6.47	2—
A person is found drunk and disorderly in a public place	2.60	20

* From most to least severe.

Not unexpectedly, perhaps, murder during the course of an armed robbery was ranked first, that is, given the most severe punishment. Some idea of the actual severity of sentences suggested by respondents can be obtained by referring back to the category numbers on which the mean score was based. Thus a mean score of 7.92 (the highest mean score) would mean that responses centred around category eight — imprisonment for over ten years.

Heroin-selling was rated second in severity of punishment, with a mean severity score of 6.47, or about three to five years' imprisonment. Next followed armed bank robbery, pack rape, and the second instance of murder given — the killing of an unfaithful wife by her husband.

It is also worthy of mention that "crimes without victims" were ranked lowest on the severity scale. Abortion for economic grounds or because of a danger of abnormality in the child were both rated very low. Similarly, homosexual practices between adult males in private, use of marijuana, drunkenness, adultery, and sexual intercourse with a consenting fifteen-year-old girl were also rated very low. Abortion due to danger of having an abnormal child was the lowest with a score of only 1.44 — barely above the "not a crime" category. Similarly, possession of drugs incurred fairly minimal penalties when compared with trafficking offences.

It is evident that for certain offences there is a distinct

variation of opinion — a considerable percentage of the sample consider a certain set of circumstances does not constitute a crime at all, while others give quite severe penalties. This lack of agreement is exemplified most commonly in the case of offences lying within the “criminal threshold”, a point which will be taken up later in this chapter.

Treatment or revenge?

As well as the traditional punishments given on the severity scale, many respondents selected other punishments and forms of treatment given on the second list. The percentage of respondents who suggested these in relation to each offence is given in table 11.

Although very few respondents selected the death sentence for any of the twenty-five offences, slightly larger percentages chose whipping as punishment for certain offences. The offence which elicited this response most often was pack rape — 15 per cent of the sample said that youths involved in this offence should be whipped. Other offences which the public felt could warrant whipping as a punishment were sexual assault of a child, rape, vandalism, incest, and drug peddling.

Sterilization was also chosen for some offences — sexual assault of a child, rape, incest, pack rape, and homosexual behaviour. In many cases, the intention was obviously punishment and not curative treatment. At present, sterilization is not prescribed at all by Australian courts, though obviously there is a small group of people who think it should be.

By far the most commonly selected secondary punishment was restitution. This was suggested by large proportions of respondents for all property offences. Thirty-seven per cent also chose restitution as part of the punishment for assault.

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TABLE 11. Views on other methods of dealing with offenders (Percentages)

	Whipping	Out-Patient Treatment	Committal to an Institution	Restitution	Deregistration, Loss of Licence	Sterilization
PROPERTY OFFENCES						
A man steals money or goods valued at less than \$500 by breaking into a house at night	0	1	0	35	0	0
A man steals money or goods valued at less than \$500 from a shop or factory	0	1	0	48	0	0
A company director fraudulently misappropriates \$300,000 from company funds	0	0	0	34	0	0
A man armed with a gun holds up a bank and steals \$10,000	0	1	1	14	0	0
A young person defaces or destroys public property	4	3	1	37	0	0
A woman is caught shoplifting goods from a store	0	10	1	24	0	0
CRIMES AGAINST THE PERSON (Non-sexual)						
During the course of an armed robbery, a man shoots and kills an employee of the organization he is trying to rob	0	1	1	2	0	0
A man shoots and kills his wife whom he knows to have been unfaithful to him	0	6	4	0	0	0
A motorist with no previous convictions kills a person by recklessly driving a car	1	2	0	4	10	0
A man assaults another man. The victim requires a considerable period of hospitalization	1	3	1	37	0	0
SEXUAL OFFENCES						
Two adult males are caught engaging in homosexual practices in a private house	0	16	5	0	0	3
A man forcibly rapes a female	4	11	6	0	0	5

(Table 11 continued)

	Whipping	Out-Parient Treatment	Committal to an Institution	Restitution	Deregistration, Loss of Licence	Steritization
A group of youths forcibly rape a female	15	6	3	1	0	4
An adult male sexually assaults a young child	6	20	20	0	0	12
An eighteen-year-old boy has sexual intercourse with a consenting girl he knows to be fifteen	1	2	0	0	0	0
A father has sexual intercourse with his daughter	5	26	17	0	0	10
A person who is married has sexual intercourse with a consenting person who is not his or her lawful husband or wife	0	2	0	0	0	0
ABORTION						
A doctor performs an abortion on a woman when it is believed her child will be born with a serious mental or physical defect	0	0	0	0	1	0
A doctor performs an abortion on a woman when it is believed on reasonable grounds that she will be unable economically to support the child	0	0	0	0	2	0
A doctor has been performing abortions regularly without considering the reasons why the women want abortions	0	0	0	0	6	0
DRUG OFFENCES						
A young person is found in possession of marijuana. He has no previous convictions	0	15	3	0	0	0
A young person is found in possession of heroin. He has no previous convictions	0	25	9	0	0	0

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(Table 11 continued)

	Whipping	Out-Patient Treatment	Committal to an Institution	Restitution	Deregistration, Loss of Licence	Sterilization
An adult is caught selling marijuana to young people	2	1	0	0	0	0
An adult is caught selling heroin to young people	2	2	1	0	0	0
A person is found drunk and disorderly in a public place	0	3	1	1	0	0

Most claimed that the offender should be forced to pay hospital bills and should perhaps reimburse his victim for wages lost during hospitalization and convalescence. Small percentages also suggested restitution for murder during armed robbery and killing by reckless driving, though most respondents made the obvious point that in these instances no real compensation could be made, except in terms of assistance to the victim's family.

Psychiatric and medical treatment, both in-patient and out-patient, were widely chosen by respondents, especially for sexual offences and drug use and, to a much lesser extent, for other offences. Sexual assault of a child and incest each had about 40 per cent of the entire sample recommending psychiatric treatment, while heroin use and homosexual behaviour had a slightly smaller proportion. Committal to an institution was recommended mainly for the crimes of incest and child-molesting. Finally, one category which we called "deregistration" was used by 10 per cent of respondents to indicate loss of licence as a penalty for causing death by reckless driving. The same category was used by small percentages to indicate that doctors who performed abortions should be deregistered.

Although there was considerable emphasis by our

respondents on therapeutic treatment of offenders, there still remains an element of "eye-for-an-eye" philosophy. This was mainly evident in comments made in connection with whipping and sterilization, as well as in the fact that some respondents devised extremely bizarre and harsh punishments for certain offences – one woman, for instance, recommended whipping, sterilization, and then death as a suitable punishment for homosexual offences! Such answers, though infrequent, left little doubt that there is still a residue of barbarism inherent in public attitudes to criminal offenders, though general public opinion appears to favour more humane and therapeutic measures.

Property offences

The offences have been grouped under general headings to facilitate more detailed discussion. Table 12 shows the percentage of interviewees whose responses fell into each of the nine categories of the seriousness scale in the case of property offences.

There was some variation in severity scores for the offences in this group. Armed bank robbery was given heavier penalties, although the actual amount stolen was far less than in the case of fraud. Overall, armed bank robbery ranked third in severity of punishment.

Breaking and entering of a private house was seen as a little more serious than theft of the same amount from a shop or factory. Least serious were vandalism and shoplifting. It is worth noting here that 4 per cent of the sample selected whipping as a punishment for vandalism, while 10 per cent recommended out-patient treatment for shoplifting.

There were some differences in results obtained from different groups in the community. For example, men were slightly more severe than women in choosing punishments for both armed bank robbery and vandalism. A more marked

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difference was evident when the results were analyzed by occupation. Manual workers were harsher in their choice of punishment for breaking and entering, theft from a shop or factory, vandalism, and shoplifting — a trend which, as we will see, applied to many of the offences which we considered. Conversely, those with tertiary education were less severe in the punishments advocated for theft from business premises, fraud, and vandalism.

TABLE 12. Views on seriousness of six property offences

Offence	Percentage in each category									
	Not a Crime	Other Punishment, No punishment, Caution	Under \$100 Fine, Probation	Prison: Less than 6 Months, Fine: over \$100	Prison: 6 months-2 years	Prison: 3-5 Years	Prison: 6-10 Years	Prison: over 10 Years	Death, Life Imprisonment	Ranking on Severity Scale
A man steals money or goods valued at less than \$500 by breaking into a house at night	0	11	11	26	40	6	1	0	0	13
A man steals money or goods valued at less than \$500 from a shop or factory	0	15	17	22	35	4	0	0	0	15
A company director fraudulently misappropriates \$300/100 from company funds	0	8	2	4	13	23	26	15	2	8
A man armed with a gun holds up a bank and steals \$10,000	0	3	1	1	12	29	34	11	4	31
A young person defaces or destroys public property	1	28	32	14	15	3	1	0	0	17
A woman is caught shoplifting goods from a store	1	29	43	10	8	0	0	0	0	18

The most outstanding feature of answers in this section was the high proportion of respondents who selected restitution as a part of the punishment. Forty-eight per cent recommended this for theft from a shop or factory, and between 30 and 40 per cent for breaking and entering, fraud, and vandalism. Many comments made by respondents

indicated that, instead of being sentenced to an unproductive prison term, convicted persons should be required to work gainfully either inside or outside gaol and their wages should be used to pay the victim. It is also worth noting that only 14 per cent of respondents recommended restitution as a punishment for armed bank robbery. Although the company director misappropriated much more money, the armed bank robber was regarded as deserving more severe punishment. The director was expected to make restitution, but the bank robber was not. Obviously the fact that he carried a gun set him apart from other property offenders – his punishment was closer to that of the man who actually committed murder during a robbery than to that of the other property offenders.

Non-sexual crimes against the person

All four crimes in this category were given quite high severity scores. Murder during the course of an armed robbery ranked highest of all twenty-five offences, with a mean severity score of 7.92. It is interesting that murder under these circumstances was considered to warrant a much harsher penalty than the murder of an unfaithful wife by her husband. Detailed results of penalties given are presented in table 13.

It was found that the death penalty was most frequently prescribed for murder during armed robbery, being recommended by 7 per cent of the sample, compared with 2 per cent who suggested this for the murder of an unfaithful wife. Still, the number of respondents who recommended capital punishment was very small in all states – a point which proponents of capital punishment could well consider.

It is interesting to note here that killing by reckless driving rates a punishment only slightly harsher than does common assault, and far less than either fraud or peddling marijuana.

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Considering that in neither of these latter instances direct physical harm is caused, it is rather ironical that far heavier sentences should have been suggested for these offenders than for an offender who causes the death of his victim. One possible explanation for this situation is that the average driver identifies with the motoring offender, seeing himself potentially in the same circumstances, and thus treats the offender as he himself would like to be treated – lightly. Clearly public support for tougher penalties for driving offences will be lacking.

TABLE 13. Views on seriousness of four non-sexual crimes against the person

Offence	Percentage in each category							Ranking on Severity Scale		
	Not a Crime	Other or No Punishment, Caution	Fine: under \$100, Probation	Prison: less Than 6 months, Fine: over \$100	Prison: 6 Months-2 Years	Prison: 3-5 Years	Prison: 6-10 Years		Death, Life Imprisonment	
During the course of an armed robbery, a man shoots and kills an employee of the organization he is trying to rob	0	1	0	0	2	7	19	21	45	1
A man shoots and kills his wife whom he knows to have been unfaithful to him	3	7	1	1	12	19	19	12	15	5
A motorist with no previous convictions kills a person by recklessly driving a car	1	9	5	11	25	18	13	4	3	10
A man assaults another man. The victim requires a considerable period of hospitalization	1	16	6	10	32	18	5	2	0	12

Sexual offences

With the possible exception of some states in America, Australia has the most moralistic laws relating to sexual behaviour in the western world. Indeed, as Morris and Hawkins have pointed out, it is as if "the sex offence laws were designed to provide an enormous legislative chastity belt encompassing the whole population and proscribing everything but solitary and joyless masturbation and 'normal coitus' inside wedlock".⁷

All except one of the seven sexual offences considered in this section are subject to quite severe legal penalties. The exception, adultery, is included to give a comparison between actions such as homosexual practices, which are punishable by law, and behaviour which is generally viewed as immoral but which is nevertheless outside the scope of the criminal law.

The remaining crimes in this section can be divided into two groups. Firstly, there has been much debate about whether homosexual behaviour, carnal knowledge, and incest should remain illegal. It has been recommended that homosexual practices and incest between consenting adults be removed from the jurisdiction of the criminal law. The statutes relating to carnal knowledge have also been criticized on the grounds that they were framed in an era when physical maturity was attained much later than it is now. In addition, girls involved in carnal knowledge cases have often not only consented, but have also encouraged older men in sexual relations leading to intercourse.

The second group of crimes – rape, pack rape, and child-molesting – are almost universally regarded as offences deserving some legal sanction. Similarly, incest involving children has not seriously been considered as an area deserving legal reform.

TABLE 14. Views on seriousness of seven sexual offences

Offence	Percentage in each category									Rank on Seriousness Scale
	Not a Crime	Other or No Relationship, Caution	Probation	Fine: under \$100.	Prison: Less Than 6 Months, Fine: over \$100	Prison: 6 Months-2 Years	Prison: 3-5 Years	Prison: 6-10 Years	Prison: over 10 Years	
Two adult males are caught engaging in homosexual practices in a private house	53	26	4	1	4	2	1	1	1	23
A man forcibly rapes a female	0	11	1	1	13	18	27	12	10	6
A group of youths forcibly rape a female	0	9	1	2	12	18	28	14	11	4
An adult male sexually assaults a young child	0	29	1	1	7	9	14	12	24	9
An eighteen-year-old boy has sexual intercourse with a consenting girl he knows to be fifteen	37	22	18	5	8	3	1	0	0	21
A father has sexual intercourse with his daughter	2	38	1	2	9	11	12	6	11	11
A person who is married has sexual intercourse with a consenting person who is not his or her lawful husband or wife	65	14	3	2	4	1	0	0	0	24

Homosexual behaviour was seen as one of the least serious offences presented. A total of 53 per cent of respondents said it should not be a crime between consenting adults in private, and it ranked twenty-third on the overall severity scale. This indicates without a doubt a considerable change in public opinion since 1967, when a previous survey conducted by Chappell and Wilson showed that only 22 per cent of the population thought homosexual acts between consenting adult males should be made legal.⁸ In addition to the 53 per cent who thought that homosexual acts should not be a crime at all, a further 26 per cent recommended some alternative method of dealing with homosexual offenders. Of

these, 16 per cent recommended out-patient medical or psychiatric treatment and a further 5 per cent recommended committal to a psychiatric institution. Clearly there is a growing public awareness that homosexuals should not be treated as criminals, and that traditional criminal justice procedures serve no useful purpose in the case of homosexual acts between consenting adults.

There were some differences in the attitudes of different demographic groups to homosexual behaviour. Younger people were more inclined to say it should not be a crime. Fifty-nine per cent of those aged twenty-five or under thought it should be legal, compared with only 43 per cent of those over forty-five. Similarly professionals and other white-collar workers were more likely to think it should be legal, as were those with tertiary education. However, religious denomination had no effect on attitudes, although those with no religion at all were much more liberal than those who claimed some religious affiliation.

Rape, another crime considered in the survey, was rated quite high on the severity scale, though there was little difference between rape and pack rape in terms of the mean severity scores. However, the difference in punishment between the two situations is more clearly evident from table 11. Fifteen per cent of the sample advocated whipping for pack rape, compared with only 4 per cent for rape. On the other hand, psychiatric and medical treatment were recommended more frequently for the lone rapist. The sex of the respondents influenced attitudes towards rape, with men generally recommending harsher punishments than women. No other demographic differences emerged from the data except the pattern common to all items considered in this section — those who claimed they had no religion were more lenient than those who claimed a religious affiliation.

Carnal knowledge was not judged very severely by comparison with the other offences, ranking twenty-first of

the twenty-five offences. Thirty-seven per cent of the sample said it should not be a crime. It must be pointed out here that in this case the age of the offender was specified as eighteen. The results of this question could have been quite different if the offender's age had been specified as being older than this.

Incest ranked eleventh in seriousness with a mean severity score of 4.59. However, answers were widely spread, with recommendations ranging from the death penalty, given by 3 per cent, to the opinions of 2 per cent who said it should not be a crime at all. A high percentage (38 per cent) recommended only one of the treatments from the shorter list with none of the conventional punishments. Twenty-six per cent recommended out-patient medical or psychiatric treatment, while 17 per cent suggested committal to a psychiatric institution. Ten per cent advocated sterilization, and 5 per cent whipping. This diversity of punishments shows that there is no clear public attitude towards this crime. Obviously, many people feel that it is a crime of considerable seriousness and would punish it accordingly, while others feel that it should be treated as a form of mental illness rather than a criminal offence. Still others advocated little or no punishment and dismissed it as a harmless activity warranting no special legal or medical attention. Not surprisingly, those with higher education or higher occupational status were more lenient than other groups, preferring treatment to punishment. Again those who professed no religion were extremely lenient.

Child-molesting rated more severe punishment than did incest, but was lower on the scale than either rape or pack rape. Twenty-nine per cent of respondents did not recommend any of the conventional treatments. Of all respondents, 20 per cent recommended out-patient treatment, 20 per cent committal to a psychiatric institution, 12 per cent sterilization, and 6 per cent whipping. Four per cent advocated the death penalty for this offence. Like

incest, then, child-molesting met with various responses — some punitive and some humanitarian.

Finally let us consider adultery. As has already been stated, adultery is not a crime in Australia, yet only 65 per cent of respondents said this in answering the question. In fact, adultery was given a higher severity score than abortion under certain circumstances, and penalties recommended ranged from three to five years' imprisonment for a substantial proportion of respondents.

Overall, young people, professionals, and people with tertiary education were least severe, while for this, as for other transgressions of the sexual code, those with no religion were also relatively lenient in the punishments they suggested.

Abortion

Three different circumstances under which an abortion could be performed were described, and in each case respondents were asked to rate the seriousness of the offence. Results are presented in table 15.

South Australia has recently legalized abortion under a wide variety of circumstances. In all other states, it remains generally illegal, though in most states no legal action would be taken if the circumstances were extreme — for instance, if continued pregnancy would endanger the life of the mother. But in the three states covered by the survey abortion under any of the three conditions given almost certainly would be considered by the courts to be illegal.

In 1967, Chappell and Wilson conducted a nationwide survey which included several questions on the legalization of abortion.⁹ It was then found that 53 per cent of the Australian population thought abortion should be legal if there was a danger that the child would be physically deformed and 19 per cent if the mother was economically

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unable to support it. At that time, 27 per cent claimed that abortion should not be legal under any circumstances.

TABLE 15. Views on seriousness of three abortion offences

Offence	Percentage in each category							Rank on Seriousness Scale	
	Not a Crime	Other or No Punishment, Caution	Fine: under \$100, No probation	Prison: Less Than 6 Months; Fine: over \$100	Prison: 6 Months-2 Years	Prison: 3-5 Years	Prison: 6-10 Years		Prison: over 10 Years
A doctor performs an abortion on a woman when it is believed her child will be born with a serious mental or physical defect	75	8	1	3	2	2	10	0	25
A doctor performs an abortion on a woman when it is believed on reasonable grounds that she will be unable, economically, to support the child	51	12	4	10	7	5	1	1	21
A doctor has been performing abortions regularly without considering the reasons why the women want abortions	28	8	2	13	10	14	10	5	14

The current survey showed that 75 per cent of respondents thought abortion should be legal if there was a danger of the child being deformed, and 51 per cent thought it should be legal on economic grounds. This is a considerable increase over the previous percentages.

It should be pointed out here that the 1967 survey was Australia-wide, while the 1970 one was conducted only in Brisbane, Sydney, and Melbourne. However, respondents were also interviewed in one rural centre and, as will be discussed in more detail later, the percentage of rural respondents who thought that possible deformity of the child would be sufficient grounds for abortion was almost the same as that from the capital cities, though considerably fewer thought abortion on economic grounds justifiable.

Twenty-eight per cent of informants thought that it should not be a crime for a doctor to conduct abortions on demand without investigating the grounds at all.

Surprisingly, there were no significant differences between age groups on attitudes to abortion, although those aged over forty-five were slightly more lenient in cases where the child could be physically or mentally deformed. Once again, the higher-status occupational groups tended to be less severe than did manual workers.

The most marked difference was connected with the educational level of the respondents. On all three offences there was a continuous relationship between severity and education – the higher the educational level reached by the respondents, the more lenient the punishments given. Not unpredictably, Roman Catholics were quite severe in their punishment, while those with no religion were least severe.

Clearly, public opinion is now swinging fairly strongly in favour of abortion law reform. This, coupled with the new legislation already introduced in South Australia and the effects of the Victorian abortion inquiry, should, in our opinion, bring about the liberalization of abortion laws in all states in the near future. Abortion is increasingly being seen as a legitimate operation when both doctor and patient see it as being desirable. At least as far as public opinion is concerned, abortion law reform associations have won a considerable victory.

Drug offences

Recent years have seen drug use and trafficking emerge as the basis of the new Australian crime scare. Dire warnings on drugs and their effects have been uttered from the pulpit, the press, and parliament. Politicians clamouring for years for harsher penalties and stricter controls have succeeded in introducing drug legislation in all states which can only be

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described as Draconian.

Generally, media publicity has emphasized teen-age drug addiction. Every adolescent, we are told, will be offered drugs, and according to press reports drug taking is rampant in some schools. Documentaries, films, and articles – even a ballet – have been produced in an attempt to rescue Australian youth from the abysmal depths of drug addiction into which, the media tell us, the younger generation has already plunged. It was in this context of public alarm about drug taking and peddling that we asked our respondents to suggest penalties for various drug offences.

The questionnaire described five types of drug offences including possession of and trafficking in marijuana and possession of and trafficking in heroin. In addition public drunkenness, Australia's most common criminal offence and a common form of drug abuse, is included in the section. The data are presented in table 16.

TABLE 16. Views on seriousness of five drug offences

Offence	Percentage in each category									Rank on Seriousness Scale
	Not a Crime	Other or No Punishment, Caution	Fine: under \$100, Probation	Prison: Less Than 6 Months, Fine: over \$100	Prison: 6 months-2 Years	Prison: 3-5 Years	Prison: 6-10 Years	Prison: over 10 Years	Death, Life Imprisonment	
A young person is found in possession of marijuana. He has no previous convictions	16	32	28	9	9	2	0	0	0	19
A young person is found in possession of heroin. He has no previous convictions	5	34	21	13	15	5	2	1	0	16
An adult is caught selling marijuana to young people	4	2	4	9	18	22	17	12	8	7
An adult is caught selling heroin to young people	1	1	3	6	14	22	20	15	13	2
A person is found drunk and disorderly in a public place	12	26	39	7	3	0	0	0	0	20

The results show little difference in penalties recommended for offences involving marijuana and those in which heroin is concerned, though in both cases there is a big difference between suggested penalties for drug possession and those for drug trafficking. Few thought any of the offences should cease to be crimes, the highest being 16 per cent of the sample favouring legalization of marijuana possession, followed by 12 per cent who thought public drunkenness should not be a crime. Very small percentages advocated the death penalty for trafficking offences.

It might be expected that the young people interviewed would have less severe attitudes to drugs than older people. However, this was not the case. Young people were less severe on heroin trafficking, but there was no difference between the young and not so young in marijuana trafficking. Surprisingly, the young respondents were more severe than other age groups in penalties recommended for possession of heroin. Older respondents were least severe in punishments advocated for public drunkenness.

There were few differences between occupational, educational, or religious groups, except concerning the offence of possessing marijuana. In their views on the seriousness of this offence, professionals and white-collar workers and those with tertiary education were least severe. By far the most liberal group were those with no religion. Types of punishment recommended varied greatly, but quite large percentages advocated either in-patient or out-patient treatment for persons found in possession of either heroin or marijuana.

Overall, it would seem that there is little public support for legalizing marijuana in this country at the present time, though few respondents recommended punishments more severe than a fine of \$100 or probation for a first offender. This would indicate that the increased penalties introduced in all states are far in excess of the punishments the public would see fit to support. It is also worth commenting on the

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rather unfortunate similarity in penalties selected by the public for possession of marijuana and heroin. Obviously there is a lack of awareness of the difference between the two drugs in their psychological and physiological effects.

Turning finally to public drunkenness, it was clear that few respondents favoured any type of medical or psychiatric treatment, though the severity of punishments recommended was about the same as that for marijuana possession. This in no way reflects current sentencing procedures, which usually dismiss drunkenness with a small fine or a night in the lock-up, while possession of marijuana carries much more severe penalties in all Australian states.

The rural sample

In general, there were few differences between attitudes in the capital cities and those in Laidley, the rural area included in the survey. Notable differences in punishments advocated were restricted to the three most controversial sections – homosexual practices, abortion, and drug offences. In these instances our rural sample supported considerably harsher penalties. For example, while 53 per cent of the metropolitan sample claimed that homosexual practices between adults in private should not be a crime, only 15 per cent of the Laidley sample shared this opinion.

There was no difference between urban and rural populations in terms of attitudes toward abortion when there is a danger of abnormality in the child, but differences were quite marked on the other instances of abortion. Only 6 per cent of the Laidley sample thought abortion should be legal on demand, compared with 30 per cent of the metropolitan sample. Similarly, while 54 per cent of the metropolitan sample thought it should be legal on economic grounds, only 21 per cent held this view in Laidley.

Results on all four drug offences followed a similar

pattern, with fewer Laidley respondents saying drug use should be legal. However, while penalties recommended by Laidley respondents for drug offences were on the whole slightly harsher than those advocated by city dwellers, differences were not marked.

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Introduction

Research in the field of criminology generally centres around the circumstances surrounding crimes, the characteristics of criminals, and studies of the police, the courts, and other criminal justice agencies. Sources of research material vary, but much of the data used is derived from police, court, or prison statistics.

This means that two important aspects of crime research have, in this country at least, been largely unexplored. To begin with, little is known about the victims of crime. It is possible that individuals with certain characteristics are more prone to criminal victimization than others. It is also likely that much of the crime which occurs, especially minor crime, is not reported to the police or any other government agency and so does not appear in any official statistics.

It is reasonable to suppose that crime rates in certain geographical areas are higher than in others. Police records of reported crime certainly indicate this, but even their official crime picture distorts reality. For example, people in certain areas may not be victimized less – they may simply be less

likely to report certain offences.

The difference in value systems operating in working-class and middle-class areas could well cause some differences in the types of behaviour which residents regard as worth reporting to police. This difference – if it exists – can only be measured by surveys which investigate reportability rates in different areas and among different socio-economic groups.

The value of reportability studies

The benefits of establishing links between recognizable or even measurable demographic characteristics and the probability of victimization or reluctance to report crime are considerable. If it were possible to establish what type of person is most likely to be victimized under certain conditions, then police resources could be more adequately deployed and citizens who for some reason are poor crime risks could be urged to take specific preventive measures.

Differential victimization rates of certain groups in the community should ideally be established for each type of offence – it cannot be assumed that because a particular type of person has a higher than average probability of being the victim of fraud he would also have an above average chance of being murdered.

Another major reason for conducting a survey on crime rather than simply relying on official statistics is to gain some insight into the so-called “dark figure” of crime – that which does not become known to law enforcement authorities. It is conceivable that this country parallels the United States in the amount of crime that is never reported or recorded. For example, one American study found that in the case of certain offences police were notified in less than one-quarter of the total occurrences.¹ Reasons given for not reporting crime varied but one clear trend was evident – more than

half of the American sample did not notify the police because they thought there was nothing the police could do to help. Large percentages also said that they regarded the matter as personal, or that the police would not bother to take any action. Clearly, data of this type are invaluable to law enforcement agencies in planning campaigns aimed at eliciting a higher degree of public co-operation.

The reportability study

In order to obtain information on the victims of crime and reportability rates, a survey was carried out in two Brisbane suburbs, Carina and The Gap. This survey was undertaken in conjunction with Professor F. A. Whitlock of the Department of Psychological Medicine and Mr. Alec Pemberton from the Department of Anthropology and Sociology, both at the University of Queensland. Whitlock and Pemberton were interested in co-operating in the survey as part of their wider investigation of social pathologies in urban environments.²

The two suburbs chosen vary widely in socio-economic status. Carina is an established working-class area, with a mainly middle-aged population. It is composed of small wooden homes and has few amenities. The suburb also contains a caravan park from which some respondents were drawn. A large proportion of residents are manual workers.

On the other hand, The Gap is a relatively new suburb, semi-rural, and consists mainly of quite expensive middle-class homes. Most of it has grown from estate development, so it is reasonably well-planned and uniform in age and type of dwelling. A large number of professionals and executives live there. In all it is a comfortable middle-class suburb, with a younger population than Carina has, and contains a fairly homogeneous population of middle to upper income earners, though it is not a place in which to find the extremely wealthy.

We began by conducting a pilot study in order to test the questionnaire³ and interviewing procedures. It was clear from this pre-test that, because of the personal nature of some of the questions, skilled interviewing would be needed for the main study. Consequently, all interviewers were rigorously trained in the administration of the questionnaire.

A quasi-random sampling method was used, with interviewers being allocated pre-selected street blocks and asked to select respondents, using random sampling procedures.⁴ Only one respondent was questioned from each household, and interviews were conducted at times when it was expected that working people would be at home. Only persons currently resident in the suburbs and aged between twenty-one and seventy years were eligible. A running check was also kept on the age and sex of respondents. Altogether, 1,096 interviews were obtained, 500 from Carina and 596 from The Gap.

The crime reportability and victimization data were obtained in two ways. There were several general questions included in the main part of the questionnaire which covered general demographic data as well as attitudes towards the suburb and some general information on crime in the area. In addition, each respondent was asked to provide details of any instance of victimization of any member of the household. Information was recorded for the last ten years. If respondents had lived in the suburb for less than ten years, they only reported on incidents which had occurred since they moved to either Carina or The Gap. This information was recorded on separate sheets which were attached to the end of the questionnaire. These will be referred to as incident forms, since each form represents one incident in which a member of the household was the victim of a crime.

It should be emphasized that the present study is essentially an exploratory one and cannot be taken to represent Australia as a whole. A detailed and comprehensive study of a limited population has the advantage, however, of

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making it possible to determine which particular aspects of victimization and reportability are most deserving of further research, and also which attitudes and demographic characteristics are most central in establishing patterns of criminal victimization.

A profile of the suburbs

It is necessary for the reader to have a clear picture of the socio-economic differences between the samples obtained from Carina and The Gap before examining the body of the survey results. Firstly, the age of respondents differed between the two areas. The Carina sample contained more people aged twenty-five or under, and more aged over forty-five, while the sample from The Gap had more respondents in the twenty-six to forty-five group.

Analysis of the education of the two samples showed that 17 per cent from The Gap had tertiary education compared with 6 per cent from Carina; Carina, however, had 36 per cent with primary education only, compared with 17 per cent at The Gap. The socio-economic differences between the two samples were exemplified by the distribution of occupations. Thirty-three per cent of residents in The Gap were in professional, managerial, or executive positions, compared with only 17 per cent from Carina. Fifty-two per cent from Carina were manual workers compared with only 27 per cent from The Gap. These differences were similar to data obtained from the Bureau of Census and Statistics covering the entire population of the two suburbs.

Questions on household possessions revealed further slight differences between the suburbs. Ninety-three per cent of households at The Gap owned at least one car, compared with 86 per cent at Carina; 91 per cent of Gap households received daily papers, as against 85 per cent at Carina. Television, however, was present in 91 per cent of homes in

each suburb.

The most significant difference arose on the question of neighbourhood satisfaction. At The Gap, 76 per cent reported that they were very satisfied with their suburb, compared with only 43 per cent at Carina. This was to be expected, since people living at The Gap had a much shorter average period of residence than those living at Carina. Much of The Gap is composed of new housing developments of a fairly high standard, and the suburb is generally regarded as a desirable place to live, particularly among middle-class families with young children.

We asked respondents in the two suburbs whether they thought people in their neighbourhood kept out of trouble with the law. Eighty-eight per cent of people from The Gap thought people from their suburb generally kept out of trouble with the law, and only 4 per cent thought some people got into trouble. In Carina, however, only 79 per cent thought people kept out of trouble and 14 per cent reported that some people got into trouble.

Results: Reportability

Respondents were asked whether they or any member of their household had been a victim of any type of crime in the last ten years and whether or not this had been reported to the police. It was found that 38 per cent of respondents from The Gap reported that they or some member of their household had been victimized, while 40 per cent from Carina reported an instance of victimization.

It must be remembered that, since much of The Gap is new development, many of the respondents had moved there relatively recently. Analysis showed that there was a significant difference in the time periods over which respondents from the two suburbs were reporting. Respondents from The Gap were reporting over a mean

period of 5.30 years, while those from Carina were reporting over a mean period of 6.33 years. Adjusting the figures accordingly, it was found that 11.30 households per hundred at The Gap were victimized each year, compared with 8.97 from Carina. This cannot necessarily be said to mean that the rate of crime is higher at The Gap than at Carina, since many of the offences concerning households from The Gap did not take place in that suburb but in some other location – a point we will return to later. It does mean, however, that people who come from The Gap are more likely to be victims of crime than those who come from Carina.

In order to further analyze the circumstances surrounding the reported instances of victimization, it was necessary to extrapolate a new set of data from the survey results. Previously, analysis had been carried out in terms of respondents, with each unit for analysis representing one person interviewed. At this point, a new set of data was generated, with each unit representing one instance of victimization, or the material obtained from one incident form. This means that those people who did not report any victimization were not considered in further analysis. Where one respondent had completed more than one incident form, each of these was considered separately.

It was not possible to obtain reliable demographic information about victims when the incident was being described by some other member of the household. For this reason, when results directly relating to the demography of victims are being discussed, only those cases reported to the interviewer by the victim himself, rather than by some other member of the household, are included. This ensures the maximum possible accuracy in the data.

It is also worth noting at this point that only eight respondents recorded more than three instances of victimization – six reported four separate instances and two reported five affecting members of their households.

Altogether, 231 respondents from The Gap reported a

total of 357 instances of victimization, while 202 respondents from Carina reported 284 instances. The type of victimization reported was categorized under ten headings – burglary; robbery; theft or stealing; vandalism or arson; assault; serious auto offences; sex offences; threat; fraud, forgery, or swindle; and other crimes. There were some variations between the two suburbs in the types of offences which occurred. In Carina, 50 per cent of the offences reported were theft or stealing, compared with only 39 per cent at The Gap. On the other hand, 13 per cent of offences reported from The Gap were burglary, as against 7 per cent from Carina. The results are presented in table 17.

TABLE 17. Comparison of types of offences for Carina and The Gap (Percentages)

Type of Offence	The Gap	Carina
Burglary	13	7
Robbery	0	1
Theft or stealing	40	50
Vandalism, arson	10	12
Assault	3	5
Serious auto offences	11	8
Sex offences	4	3
Threat	4	2
Fraud, forgery, swindle	8	7
Other crimes	7	5
Total number of offences	357	284

Since these figures refer to offences which have been committed against residents of the suburbs, it is also important to consider how many of these crimes actually took place in the respondent's own suburb and not somewhere else. Of those incidents involving victims from The Gap, 45 per cent took place in The Gap, while 71 per cent of offences involving victims from Carina happened in Carina. This means that, although there is little variation in the frequency of victimization of residents from the two areas, a large proportion of the offences reported to the survey by Carina residents took place in Carina, while less

than half of the offences reported by residents of The Gap actually took place in The Gap. The actual crime rate, then, could in reality be higher at Carina than at The Gap. Although people living at The Gap tend to be victimized slightly more often than those from Carina, much of this victimization takes place elsewhere, perhaps in the city or perhaps in other suburbs.

More specific information can be obtained by considering this question in conjunction with whether victimization actually occurred in the victim's home. Forty per cent of victimization reported by people from The Gap actually happened in their own homes, compared with 54 per cent from Carina. This means that only 5 per cent of crimes happening to people from The Gap took place in the suburb outside their own homes, as against 17 per cent from Carina. This result could be explained on the grounds that, since Gap residents are more likely to have their own cars and telephones than those from Carina, they are less likely to be away from home but still in the suburb – for example, they are less likely to be walking to the local shop, to a corner phone, or to a bus stop. However, further investigation is necessary in order to substantiate this tentative explanation.

Analysis of the mean crime victimization rate over a ten-year period, in conjunction with the number of crimes which had actually been committed against residents while they were in their own neighbourhood, revealed that 5.09 households per hundred per year from The Gap were victimized in their own suburb, compared with 6.37 in Carina. However, no inferences can be made about the absolute crime rate in either suburb, since the survey did not investigate instances in which people from outside Carina or The Gap were victimized in those suburbs.

The victims of crime

In order to analyze the socio-economic characteristics of victims, it was necessary to further modify the data. Only those incidents which were reported to the interviewers by the actual victims were used here, to avoid possible errors made when respondents were reporting on incidents involving other members of their households. Each unit of data in this analysis, then, represents one instance of victimization as reported to the interviewer by the victim himself.

To establish rates of victimization for certain groups, the number of offences reported to the interviewers by victims in each group was calculated, and this was expressed as a percentage of the total number of interviewees in that category. Although these figures do not provide absolute measures, they do provide a useful basis for comparison between groups.

Firstly, it was established that males were victimized more frequently than females. The rate for males was 30 per cent, compared with only 15 per cent for women. This difference was caused not by a generally higher victimization rate over all offences, but was due to the fact that men were much more prone to certain types of offence. Although women were more susceptible to theft, men were more often victims of burglary, vandalism, arson, serious auto offences, and fraud, forgery, and swindle. One possible explanation for this could lie in the role of males as heads of households. Many of the crimes which happened more often to men than to women could be regarded as crimes against a household rather than against an individual — for example, wilful damage to a house or to the family car, or burglary involving loss of furniture and household goods. In these cases, the head of the household would perhaps be more likely to be regarded as the victim than other household members. Since heads of households are usually male, this could have an effect on the overall rate of victimization of men.

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It was also found that people aged forty-five or over were less likely to be victimized than those aged under forty-five. Analysis of the most common types of offences against older people showed that they were more likely to be victims of theft, but less likely to be victims of vandalism, arson, assault, or serious auto offences.

Looking at education, it was found that those with tertiary education had the highest percentage rate of victimization (28 per cent) while those with primary education only had the lowest (16 per cent). It is interesting to note that people with tertiary education had a very low percentage of thefts committed against them compared with other educational groups. Twenty-seven per cent of the offences committed against those with tertiary education fell into the theft category, compared with 46 per cent for those with secondary education and 54 per cent for those with primary education. The tertiary group, however, had suffered relatively high percentages of vandalism, sex offences, and threats. A tentative explanation of this could be that people with tertiary education could be expected to have a more detailed knowledge of the law, which would mean that in marginal cases, such as sex offences like carnal knowledge or certain types of assault, as well as in some cases of property damage, they would be more likely to be able to recognize crime. In other words, their knowledge of the law would enable them to recognize more easily instances in which it had been broken.

Finally, frequency of church attendance had a rather marked effect on victimization. Those who never went to church were victimized more than those who went, even if not regularly. Again, a possible explanation could lie in the overall pattern of social activity of church attenders compared with non churchgoers. Perhaps non-attenders are more likely to frequent hotels, theatres, and other places of entertainment, thus rendering themselves more open to victimization, while churchgoers generally pursue a more

circumspect existence, abstaining from the boisterous night-life and avoiding places of ill repute!

On a more serious note, though, the results obtained make it possible to build up a picture of the type of person most likely to be criminally victimized. He would be a non-churchgoing male, aged under forty-five, with a tertiary education and a white-collar job, probably in a professional or managerial position.

Crime reportability

Overall, it was found that less than half of the incidents reported to the survey were reported to the police. The difference in reportability rates between the two suburbs was not marked – 44 per cent of incidents involving people from Carina were reported to the police, compared with 47 per cent of incidents involving Gap residents. Despite this similarity in reportability rates, reasons given for not notifying police differed widely between the two suburbs.

In order to uncover reasons for not calling the police, the following procedure was adopted. Respondents were given a card containing a list of possible reasons for not reporting crimes. These reasons were similar to those used in an American study conducted by the National Opinion Research Company for the President's Commission on Law Enforcement and Administration of Justice.⁵ This allowed direct comparisons between the data obtained from the present study and those gathered in the United States.

The question on reasons for non-reporting was presented in two parts. Firstly, respondents were asked to say which of the reasons listed on the card had been applicable to their own experience, and secondly they were asked which of the reasons they gave was the most important.

Looking first at the figures on the left hand side of table 18, then, there are few differences between the two suburbs,

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except that people from The Gap are slightly more likely to say that the police could not have helped them. However, much more significant differences emerged when respondents were asked to say which reason was the most important. People from The Gap were much more likely to say that the police couldn't do anything to help, while those from Carina said that the police would not be bothered. Figures obtained from The Gap were quite comparable with the results of the American survey, but those from Carina showed a much stronger disillusionment with the police. Gap residents, on the other hand, although less likely to think that the police would not bother with their complaints, had stronger doubts about the ability of the police to provide any assistance. Clearly disillusionment and cynicism towards the police is higher in low socio-economic areas.

TABLE 18. Reasons for not reporting offences to the police (Percentages)

Reason	Mentioned at all			Most important		
	The Gap	Carina	U.S.*	The Gap	Carina	U.S.*
Did not want to take the time	10	9	13	6	5	6
Did not want to harm offender	9	10	12	9	7	7
Afraid of reprisals	2	3	5	0	0	2
Was a private matter	37	35	41	21	17	26
Police couldn't do anything	63	45	58	45	25	36
Police wouldn't be bothered	44	48	28	9	32	8
Didn't know how to notify them	4	8	6	0	2	1
Too confused or upset	3	3	6	2	2	2
Not sure real offenders would be caught	29	24	31	6	11	12
Fear of insurance cancellation	4	1	1	1	0	0
Total number of informants	164	149	1,017	142	130	906

* U.S. figures obtained from *Criminal Victimization in the United States: A Report of a National Survey*, a report of a research study submitted to The President's Commission on Law Enforcement and Administration of Justice (Washington, D.C.: U.S. Government Printing Office, 1967), p. 44.

There was not, however, any significant difference between Carina and The Gap in terms of satisfaction with police handling of those crimes which were reported. In 78 per cent of instances in which crimes were reported to the police by victims from The Gap, the victim was satisfied with police action, compared with 82 per cent from Carina. Although the difference is not great, this does show that doubts expressed by Carina residents about the amount of attention which the police would give to their complaints were not in any way substantiated by the experience of those who had actually sought their assistance.

It was also found that, in 37 per cent of incidents which occurred in The Gap, the victim said that the offender did not come from the district, while only 24 per cent from Carina said the offender was an outsider. This was to be expected, of course, since many of the offences involving people from The Gap happened outside the suburb, while those incidents which involved Carina residents were more likely to have actually taken place in Carina.

When reportability was analyzed in terms of type of offence, it was found that burglary was the most frequently reported offence, with the police being notified in 82 per cent of the cases reported in the survey. This was followed by sex offences, of which 71 per cent were reported, and then by assault, theft, and serious auto offences. Threat, fraud, and vandalism were lowest on the scale, all with one-third or less of all instances being reported. The data are summarized in table 19.

Examination of the outcome of police action on various types of offences which were reported could shed some light on reasons for the varying reportability rates so far considered. The measure of success of the police investigation was based solely on the judgment of the respondent. Those investigations counted as successful were those in which the respondent knew the outcome of the case and considered it successful — in other words, it is admittedly a subjective

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classification rather than an objective one. However, since the question was to be used only to investigate its relationship with reportability, then only the opinions of the victims would be important since it would be these opinions which would be passed on to friends and neighbours and provide a point of reference in assessing the value of reporting an offence to the police in terms of the likelihood of its being cleared up.

TABLE 19. Reportability of certain offences

Offence	Percentage Reported to Police
Burglary	82
Sex offences	71
Robbery	67
Assault	58
Theft, stealing	47
Serious auto offences	36
Threat	33
Fraud, forgery, swindle	27
Vandalism, arson	23

It was found that investigations of fraud had the highest success rate — 54 per cent. This was followed by assault and theft, with 38 and 36 per cent respectively. Sex offences, auto offences, and burglary all had a success rate of between 20 and 25 per cent, with vandalism having the lowest figure of 13 per cent. It appears then that there is some relationship between perceived success of police investigations and reportability, but it seems unlikely that this is the only factor involved in whether or not a criminal offence is reported to the police. While vandalism has the lowest reportability rate, and also the lowest rate of police success, fraud has a high success rate but an extremely low reportability rate.

Obviously, there are many other factors influencing people in deciding whether or not to report offences committed against them to the police. For example our survey revealed that over half the victims of fraud knew the offender

personally. The same applied to one-third of the sex offences reported in the survey, and to 27 per cent of instances of vandalism. In many cases involving fraud, sex offences, and vandalism, particularly if the victim knows the offender, it is difficult for the police to bring the case to a satisfactory conclusion because they cannot persuade the victim to give evidence or to press charges.

Concluding remarks

This section of the study must be regarded as being largely exploratory. However, some of the information it provides could have potential use in crime prevention programmes. For instance, special warnings could be issued in districts where certain types of crime are more prevalent, and information about crime prevention could be disseminated in such a way that it would be sure to reach those groups shown to be most in need of it. However, in this area a more detailed study than we have conducted is needed to ascertain why certain groups emerged as more prone than others to be the victims of crime. This type of information cannot be obtained simply by looking at official records. As we have demonstrated, many victims are highly unlikely to report crimes to the police; thus a study of victims based on police files is not going to represent a cross-section of all crime victims.

But tentative as our study is, the reportability data provide evidence concerning unreported offences which was not previously available. The fact that residents of a working-class district feel that their complaints will not be investigated by the police is perhaps the most important finding. Whether this attitude arises from differential treatment by the police or whether it is simply part of a general alienation of working-class people from what they perceive as the visible symbol of middle-class authority – the police – the fact

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remains that until these people feel that their complaints will be adequately dealt with they will not come forward to provide the co-operation and information needed by law enforcement agencies.

6 / THE IMPACT OF PUBLIC OPINION

Introduction

To date, this book has attempted to give a detailed account of the findings of two large-scale surveys carried out in this country. These results have been presented under four major headings – concern about crime, attitudes towards the various agencies concerned with criminal justice, attitudes towards sentencing, and finally an analysis of the characteristics and opinions of victims of crime. However, in addition to this specific and detailed information, the results also brought out certain more general patterns of responses, or links between responses to various questions related to crime matters.

Earlier chapters have assessed people's attitudes towards crime, the degree of apprehension they feel about it, their recommendations for reform, and their attitudes towards various aspects of the existing system. While these opinions are of great value in determining which courses of action the public would accept and which they would reject with regard to criminal justice, it is almost impossible, given the vast amount of data which emerged from the studies, to form a

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coherent picture of the complex of attitudes towards crime and justice and of the subsequent reflection of these attitudes in social and personal behaviour.

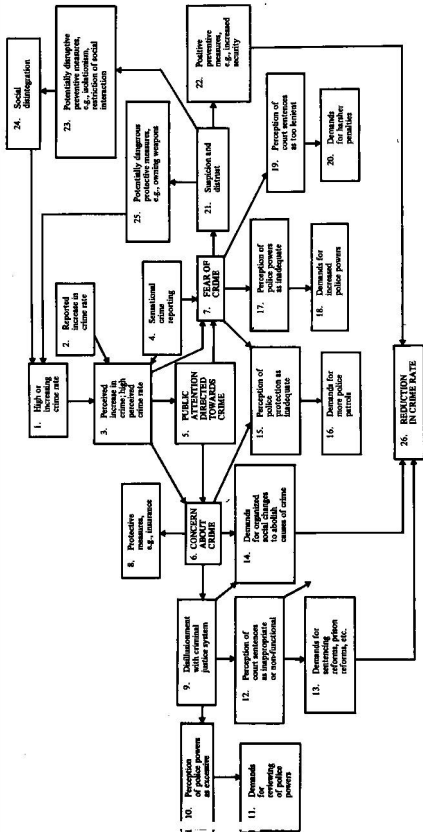
Previous chapters have shown that specific groups in the community are much more likely than others to hold certain opinions. Combined with this, some groups tended to favour reforms of one type, while other groups favoured different reforms. Evidence such as this led us to examine in more detail the *patterns* of responses which emerged, against a background of similar and related studies from overseas. This eventually led to the construction of a model which attempted to interrelate the evidence obtained here with that obtained from overseas surveys and research projects.

The construction of a model

The model attempted to incorporate the general sources of public attitudes towards a high or increasing crime rate, the major types of attitude which develop as a consequence of these, and finally the types of action which people are likely to take as a result of their opinions. Where possible, the positive or negative effects of these actions on the criminal justice system have also been incorporated in the model.

By doing this, it is hoped to show the various paths of development of attitudes which can be of benefit in reducing the crime rate as well as the paths which usually do not have any effect, and those which have the negative effect of further increasing an already escalating rate of crime. By indicating these paths clearly, it is hoped that some points will emerge which will be of value in attempts to channel community opinion and energy into those areas in which effort can most profitably be expended in curbing crime.

Since much of the responsibility for both crime detection and crime prevention rests with the public, it must be acknowledged that the opinion of the public is important.



A Model of Public Opinion and Crime

The impact of public opinion

The degree of co-operation they are willing to offer to police and other agencies, the reforms they are willing to support, and the extent to which they are prepared to uphold the law themselves, all depend to a greater or lesser degree on their perception of the state of crime and of the criminal justice system.

In the actual construction of the model, connections between the different variables concerned have been postulated only when some evidence has been found for their existence. This evidence has been drawn from three main sources: firstly, the research reported in this book; secondly, reports of research carried out elsewhere; and thirdly, the authors' observations of trends, or possible links between certain variables.

The direction of the links between variables was more difficult to establish. It was possible from our results and other available information to establish that certain attitudes are held in common by certain groups, but it was not possible from the evidence to establish causal links between various attitudes. However, in many cases, these are obvious from the very nature of the variables concerned. For instance, the "information-perception-attitude-action-effect" chain, which actually forms the basis for the model, is a fairly obvious sequence, and one which we will not attempt to test here.

Let us consider the model, then, by describing in a systematic manner the salient features of the relationship between public opinion, crime, and the criminal justice system as we have hypothesized them.

1. A high or rising crime rate is recognized by the public in two main ways. Firstly, people may come into direct contact with crime, or they may hear about it from their friends or neighbours — in other words, they are basing their perceptions on either their own experience, or on verbal accounts of the experience of others. This is the most direct way in which perceptions of crime rates can be built up, but

not necessarily the most accurate, especially in a large city where it is impossible for a person to obtain this type of information for more than a very small proportion of the crimes which actually take place.

Secondly, people may receive information about specific crimes, and also general information on fluctuations in the crime rate, through the mass media. Although this method is less direct than the first method, it is perhaps the only way to gain a realistic overview of reported crime in a large population centre — provided, of course, that the information being disseminated by the media is as accurate as possible, and is presented without sensationalism. The media, of course, unlike the more direct channels through which crime information might pass, are unlikely to have access to details of crimes which are not reported to official agencies.

Unfortunately, crime reporting in the media is not always as rational and factual as it might be. Instances of sensationalism are not difficult to find. Certain types of crime, such as sex offences and murder, or crimes involving young children, tend to command disproportionate amounts of media coverage, while the more common offences, such as theft and housebreaking, are rarely reported unless the circumstances are particularly unusual or the victim holds a prominent position.

2. Once the public have perceived a high or an increasing crime rate, their attention is focussed on the issue. The survey results supported other literature¹ in dichotomizing this attention into fear and concern. The distinction between fear and concern has already been made.² In brief, for purposes of this discussion, fear is largely a concern for personal safety, or the safety of the individual's own person and property. Concern, on the other hand, is a more rational approach, which seeks to prevent or reduce crime generally by attacking its causes rather than its effects. Fear and concern, then, are defined not only by direct reference to

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people's own evaluation of their feelings towards crime but by the actions they take and the pattern of opinions they hold relating to crime and criminal justice generally. Fear and concern are not mutually exclusive in an individual, but usually one tends to predominate over the other.

It is proposed in the model that direct experience with crime, direct contact with people who have had experience with crime, or obtaining information about crime from factual media reports all lead to attention to crime, which in turn leads to fear or concern. However, media sensationalism (although it can lead to attention and thus to concern or fear) is also postulated as directly causing fear of crime. This means that sensationalism would have not only an indirect effect in causing concern, but also both a direct and an indirect effect on fear of crime.

Whether people feel predominantly fear or predominantly concern was shown by our survey results to be affected by their socio-economic status. Those with lower education and occupational status are more likely to feel fear of crime. Although they also claimed to be more concerned about crime than did those with high socio-economic status, the feeling described by respondents as "concern" probably includes both fear and concern, as we indicated in chapter 2. However, the total pattern of responses to the survey would indicate that concern is largely a middle-class phenomenon.

3. Concern about crime, as it is defined here, can lead to a number of different courses of action. Firstly, it can lead to taking out property insurance. This action is most common in higher socio-economic groups, and has no effect in either preventing or reducing crime. Although the aim of insuring property is largely one of financial self-protection, it is not a panic reaction arising from a desire to avoid victimization. Insurance serves to ameliorate the problems caused by property crimes, but does not have any known effect on crime rates. Although its effect in reducing the hardship

caused by crime, particularly property crimes, is undoubtedly beneficial to those sections of the community which take advantage of it, it is represented in the model as having no effect in causing either an increase or a decrease in crime rates. Holding insurance, then, is a "terminal" variable – one which has no substantiated effect on any other variable in the model.

4. In some cases, concern appears to lead to a demand for social change in order to eradicate the causes of crime, with people suggesting that youth clubs be established, that steps be taken where possible to improve the home environments of deprived children, and that public education programmes be instituted to increase awareness of community responsibility in crime prevention. Suggestions of this nature could, in our opinion, have a positive role in the reduction of crime rates, as has been shown in authoritative overseas research.³ The model illustrates this sequence.

5. Concern can also lead to discontent with the criminal justice system itself.⁴ This can be directed against any or all of the components of the system. For example, the police can be, and were in our study, criticized on the grounds that their role is oppressive in their relations with certain sections of the community. This can lead to a demand for a reduction or alteration in the powers of the police, and a general restructuring of their role in crime prevention and detection. Secondly, many people criticized the courts and the sentences they imposed. At the moment, most sentences serve only a punitive role, but there is growing feeling that this is not enough and that correctional agencies should concentrate more on rehabilitation and on the reduction of recidivism, rather than on the purely punitive aspects of punishment.

Alterations in the role of the police could possibly have an effect on crime rates. However, since most people demanding

this type of reform had no clear idea of exactly what reforms they wished to see introduced, and since little concrete evidence is available to establish conclusively that reforms would have an effect on the crime rate, no further effects are suggested in the model.

Sentencing and correctional reforms could reasonably be expected to have a positive effect in reducing recidivism and thus in reducing crime, so a causative relationship has been indicated in the model. Many countries – Sweden being a prime example – have adopted sweeping penal reforms with quite outstanding success. Much research has also been conducted on non-custodial handling of juvenile offenders and also on the use of therapeutic facilities where possible in treatment of alcoholic and drug-dependent offenders. The recommendations of the President's Commission on Law Enforcement and Administration of Justice give a good indication of the type of reforms which would be beneficial in this regard.⁵

6. Concern about crime was also shown by the survey results to be associated with the perception of police protection as inadequate, although respondents who felt predominantly fear also felt dissatisfaction with police protection.

Recommendations made by people who were unhappy with the present level of police protection ranged from simple demands for more patrols to suggestions for a complete overhaul of police organization. Many people recommended the re-introduction of police foot patrols, while others did not offer any solution to the problem, but complained of lack of service and lack of co-operation.

The survey of victimization reported in chapter 5 showed that those from the suburb of lower socio-economic status were more likely to feel that police would not be of assistance to them than were those from the more prestigious neighbourhood. Obviously, however, discontent with police

service is common to all groups in the community, though reasons put forward vary from lack of efficiency to lack of manpower and lack of enthusiasm.

The authors believe that an implementation of many of these suggestions would undoubtedly raise the crime detection rate, as experience in Victoria has shown, and could even have some small effect in crime prevention. However, this does not necessarily mean a corresponding reduction in the overall crime rate. More arrests would lead to more people being processed by the criminal justice system, which would in turn lead to our already overcrowded, unproductive prisons producing more recidivists.

Although increasing police patrols would undoubtedly be beneficial at some point in time, it is argued here that the change must come first from the opposite end of the system – that facilities for handling offenders must be improved before attempts are made to catch more offenders. For this reason, given present conditions in Australia, no direct causal relationship has been suggested between increasing police patrols and general efficiency and reducing crime.

7. Turning now to those whose fear predominates over their concern, it was found that many felt that police powers were inadequate, and should be increased. Once again it is our opinion that this would definitely not serve a constructive purpose in crime reduction, so no link has been shown.

Increasing powers would again mean more arrests and overtaxing of the rest of the system. It would also mean almost certain alienation of many sections of the public from the police. Chapter 3 shows that most people are satisfied with police powers, and large percentages were against certain suggested extensions of power, particularly professionals and those with higher education, who were usually numbered among those who felt concern rather than fear. Thus

acceding to a minority demand for more powers could damage police-public relations, making it even more difficult for the police to perform efficiently within the community.

8. Fear can also lead to a perception of court sentences as being too lenient, and to a subsequent demand for harsher penalties. Again, the authors do not predict that this would have any effect on the actual rate of crime. Harsher penalties have been shown to have little or no deterrent value,⁶ and no beneficial effects on those against whom they are invoked.

Those calling for harsher penalties often refer to certain offences which have become controversial, such as drug offences, rape, or murder. In many instances, offenders in these categories do not benefit at all from punishment as such, but would perhaps respond to a therapeutic approach. In terms of economics alone it is surely better to avoid expensive incarceration as far as possible, and, where incarceration is necessary, to ensure that every effort is made to return the offender to the community as soon as possible. Although we feel that harsher penalties would certainly not cause a reduction in crime, there is no empirical evidence to suggest that they would cause a rise in crime rates – simply a rise in the financial burden on the state.

9. The fourth and final effect of fear of crime is the engendering of a feeling of suspicion and distrust. As chapter 2 has shown, this is very evident in some parts of America and its manifestations can be observed in most Australian cities in three main forms.

Firstly, many people take increased care in securing their property. Apart from the usual precautions of locking houses and cars when owners are not present, many people have installed special locks on windows and doors, and in some cases have protected the windows of their homes with bars, or installed special intruder detection devices. There is little doubt that security measures of this type would have some

effect in reducing crime. In many cases, thieves may simply look for an easier target, but the widespread use of fairly simple precautions such as locking houses and cars would undoubtedly reduce theft. A large proportion of stolen cars have been left unlocked by their owners, some with the keys in the ignition, making the task of the car thief extremely easy. This is perhaps one way in which more care on the part of citizens can have a positive effect in crime reduction.

Secondly, people who are afraid of victimization tend to isolate themselves from the rest of the community. They avoid talking to strangers, curtail their social activities so that they do not go out after dark, and avoid walking, using cars or taxis for travelling rather than public transport at night. This restriction of social interaction has a detrimental effect on a community and, as shown in the model, leads to social fragmentation and disintegration.

In some parts of America, as has already been mentioned,⁷ this isolation of individuals from society has reached the stage where people will not come to the assistance of others in cases of assault or robbery for fear of becoming involved. People do not report crime and are reluctant to appear as witnesses or to assist the police in any way for fear of reprisals. When the situation in a particular area deteriorates in this way, the opportunities for certain types of crime are increased by people's isolation, and the chances of detection are drastically reduced because of the unwillingness of the public to render any assistance to the police. In this way, modifications to social and community behaviour arising from fear of crime can actually cause an increase in the amount of crime in a society.

Thirdly, suspicion and distrust can lead to certain preventive measures which are directly responsible for increases in crime rates. Citizens afraid of victimization often seek to arm themselves against criminals, perhaps with ordinary household items which can be used for self-defence, but sometimes with firearms.

Arming of citizens means that criminals will also arm themselves, since they will come to expect armed resistance from their victims. As yet, this has not reached anything like the same proportions in Australia as it has in America. However, there was some evidence of the readiness of a minority of people to use firearms to protect themselves and their property, so the Australian situation cannot be dismissed lightly. For this reason, it has been represented in the model as having a direct causative effect on increasing crime rates.

In the same category, mention must be made of the tendency of citizens in some areas to go further than simply offering the police their co-operation in crime prevention and detection. Formation of vigilante committees and similar unofficial groups almost certainly leads to a general increase in violence, with criminals becoming more aggressive in order to overcome their opposition. Because of the extremely dangerous nature of such behaviour, it has been included in the same category as the keeping of firearms, which, as we have predicted in the model, would have a direct effect in increasing crime rates.

In summary, then, the model represents the various paths along which attitudes towards an increasing crime rate can develop. It also gives some indication of the probable effects of the actions which could result from these opinions and attitudes. The model is only designed to apply when the crime rate is already high, or increasing. It includes mainly attitudes which were tested in the surveys reported here, and some intervening variables which help in explaining the predicted paths along which attitudes develop.

A statistical analysis of the model

Although many of the direct relationships between the variables on the model can quite easily be observed, some quantifying method was needed to determine the number of complex relationships. A direct relationship, or one-step path, is represented by an arrow linking two variables. A two-step path is a link in which there is one intervening variable — such as that between variables 1 and 5, where variable 1 is linked to variable 3, which is in turn linked to variable 5. Variables 1 and 3 are also linked by a two-step path through variable 2, so variables 1 and 5 can also be linked by a three-step path, passing through variables 2 and 3. This terminology will be used to refer to the various relationships which are evident from analysis of the model.

In order, then, to assess accurately the number of different paths linking all the different variables in the model, the following mathematical technique was employed.⁸ A matrix table was prepared, with each of the twenty-six variables arranged in order along both the horizontal and vertical axes. Considering first the top row of this matrix, which corresponds to variable 1 on the vertical axis, a “1” was placed in columns corresponding to those variables on which variable 1 had a direct causal effect, that is, which were linked with variable 1 by one-step paths leading from variable 1.

For this example, then, a “1” would appear on the first row in the second and third columns, indicating that variable 1 had a direct causal relationship with variables 2 and 3. Zeros were then placed in all other positions in the first row, since variable 1 did not have a causal effect on any variables other than 2 and 3.

The matrix was completed in this way for all twenty-six variables shown in the diagram. The finished matrix, then, represented a summary of the model, showing all the paths represented in it. This matrix was then mathematically

squared. The resulting matrix, read in the same way as the original matrix prepared from the diagram, gave the number of two-step paths linking all of the variables. Similarly, when the original matrix was mathematically raised to the third and fourth powers, the resulting matrices gave the number of three-step and four-step paths respectively. Since the strength of the relationships between variables was weakened by the number of intervening variables, only one-step to four-step paths were quantified in detail.

It is worth mentioning at this stage that several of the variables in the diagram are "terminal" – that is, they do not affect any other variables in the model. Variables 8, 11, 16, 18, and 20 fall into this category.

Implications of the model

Having established the content of the model in some detail, it remains to examine its implications. The aim of the model was to describe possible paths of attitude development from high or increasing crime rates, and to evaluate the actions which could arise from them. Firstly, then, a differentiation between paths with a positive outcome (a reduction in crime) and paths with a negative outcome (an increase in crime) will be examined.

It is obvious from the model that fear of crime has a stronger effect in increasing crime rates, while concern has a stronger effect in reducing them. In other words, the courses of action followed by people for whom concern is the predominant feeling are basically constructive, while those who feel fear predominantly are likely to further aggravate the crime situation.

A high or increasing crime rate is directly affected by the adoption of dangerous preventive measures and also by social disintegration. It is also affected by two-step paths by suspicion and by disruptive preventive measures, and by

three-step paths by fear and suspicion. All of these variables are associated either directly or indirectly with fear of crime. However, a reduction in the crime rate is affected directly by demands for sentencing reform and by increased security. By two-step paths, it is affected by concern, disillusionment with the criminal justice system, perception of sentencing as inappropriate, and suspicion, and by three-step paths by a perceived increase in crime, by public attention to crime, by concern, by disillusionment with the system, and by fear. It can be seen from this that although fear can have a positive effect in reducing crime, it also has a strong negative effect, while concern has only a positive effect.

To reverse an increase in the crime rate, then, certain paths must be interrupted, and others must be strengthened. The model shows clearly that public attention must be drawn to the problem of a rise in crime before it can be solved. Sensational reporting is postulated as having a direct effect on fear, so reporting should be kept as factual and down-to-earth as possible, not placing disproportionate emphasis on sensational crimes and generally avoiding fear-provoking statements.

It is obvious, though, that fear of crime will never be completely eradicated. Since fear has a few good effects, these should be encouraged as far as possible. For instance, publicity should be given to the benefits of added security precautions, and people should be urged to do something constructive to protect themselves and their property.

Fear of crime can be allayed also by specific legislation. For example, laws could be written requiring landlords to equip their buildings with lights and locks. Special transport services in the form of mini-buses might be provided for residents in high crime areas. Government-subsidized victim-compensation schemes should be considerably enlarged so that the costs of injury or loss of property resulting from crime are adequately covered.

Similarly programmes which inform citizens about the

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dangers of vigilante groups and of weak firearm legislation would undoubtedly contribute to a lowering of crime rates and a more rational public approach to crime prevention and criminal justice. If our model has any validity – and we feel it has – then policy-makers and criminal justice administrators must fully understand the implications of public concern and fear about crime.

Conclusion

This discussion raises one perplexing question – should concern be directed towards crime itself or towards fear of victimization? Eliminating fear of crime without successfully attacking its partial cause – crime itself – would leave society vulnerable to the disruption caused directly by crime. Yet to attack crime without a corresponding commitment to allaying popular fear of crime is equally futile.

While numerous attempts have been made to wage what is often referred to as a “war” against crime, little has been done to allay public fear of crime. Failure to recognize this fear is a large part of our current problem. We are fighting only half the battle and losing the war by default.

To be sure, conservative politicians have been prepared to exploit fear of crime, while liberals have written denouncing it. But few political leaders or academics have undertaken the difficult task of reassuring the public that crime is not necessarily the product of social change. Indeed, the absence of social change rather than its presence is the more likely explanation for the high incidence of crime in our society.

Our model of the relationship between public opinion, crime, and criminal justice procedures indicates some of the social changes necessary for a substantial reduction in the crime rate. We also feel that our surveys have indicated that the public are willing to accept more changes and innovations in the criminal justice system than politicians have so far

been willing to implement.

In our view, change in the criminal justice field must involve citizen participation. At the present time there is an almost complete lack of citizen participation in criminal justice. Aside from occasional jury service – which, as the survey showed, affects very few people – there is little opportunity for people to perform public service in this field. Both the criminal and civil law must take a large share of the blame for this state of affairs.

To function as it should the law must be brought out from behind the screen thrown up around it by archaic language, pompous ritual, and unnecessary complexity. It must be trimmed of its myriad anachronisms and made to serve a modern society. We can no longer make do with horse-and-buggy law in a supersonic, technological age.

Similarly, custodial institutions which deliberately sever their inmates from the community must change their procedures. Not only should prisoners be allowed to visit and work in the community but also citizens should be allowed and encouraged to visit prisons. At present little opportunity is provided for persons to visit for sustained periods and constructively assist incarcerated persons.

Police forces must ensure that persons who report crime get adequate feedback on the results of police investigations. As our surveys have clearly shown, large numbers of citizens do not receive any information on the results of police investigations and an even greater number do not report crimes because they feel the police will not investigate their complaints. Public co-operation with the police will never reach the level that it should unless action is taken to alleviate this situation. In addition, fear of crime will not be allayed until the police make the rhetoric about police protection for the public a reality.

Unless public fear of crime is reduced, frustration will grow among those troubled by crime, and demands for invidious repression and curtailment of civil liberties will

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ensue. Pressure will increase for campaigns of political repression and violent enforcement of order against those seen as threatening the community. Should this be allowed to happen, Australians will discover just how fear of crime could substantially affect the quality of life in this country.

APPENDIX A

The first of the two surveys reported in this book was a survey of attitudes towards various aspects of the criminal justice system and towards sentencing practices. It also endeavoured to measure public fear and concern about crime. Interviewing took place in Brisbane, Sydney, Melbourne, and Laidley. The questions asked are presented below.

1. There are many problems facing our country these days besides foreign affairs. (HAND RESPONDENT CARD 1.)

Card 1

Poverty

Inflation

Education

Crime

Race relations

Unemployment

NOTE: The order of presentation of the six problems was varied to avoid contamination of results by order effects.

- 1a. Which of the problems on this card have you been paying attention to these days?
- 1b. Of those problems you mentioned, which *one* have you been most concerned with?

Appendix A

2. Considering everything about the way the police do their job in this state, would you say that you have great respect for the police, little respect for them, or mixed feelings about them?
3. As a result of the public inquiry into the activities of the Victorian Police concerning abortion – would you say your attitudes towards the police in *this* state (Queensland, New South Wales, Victoria) have changed for the better – changed for the worse – or have your attitudes towards the police remained about the same?
4. In your opinion, who should investigate public complaints against the police? Should complaints be investigated by the police themselves – or by tribunals composed of people outside the police – or some other way?
5. There has been some discussion recently about the powers of the police in this state. Do you think the police in this state have too much power – not enough power – or about the right amount of power?
- 5a. IF “TOO MUCH POWER” OR “NOT ENOUGH POWER”, ASK:
In what way?
6. Do you think the police should have the power to hold a suspect for up to 48 hours (2 days) for interrogation without officially charging him with an offence?
7. Do you think the police should have the power to fingerprint anyone after charging him?
8. Should the police have the power to search without a warrant?
9. When the police arrest a person, should he have the right to have a lawyer present before the police begin to question him?
10. Do you think you (and your family) get adequate protection against crime from the police in your state?
- 10a. IF “NO” TO QUESTION 10, ASK:
In what way don't you get adequate protection?
11. Do you think there are too many police in this state, not enough police, or about the right number?

12. Now I'd like to ask you some questions about the law and courts in this state. From your own experience or from what you hear – do you think the criminal courts in this state *always* give people accused of crime a fair trial – *usually* give them a fair trial – or *usually do not* give them a fair trial?
- 12a. IF “USUALLY GIVE THEM A FAIR TRIAL” OR “USUALLY DO NOT”, ASK:
In what ways might someone not get a fair trial?
13. How do you feel about the sentences that are usually handed out by the courts in criminal cases here? Do you think they are too lenient, too harsh, or about right?
14. Do you think the decision of whether a person is guilty or innocent of a serious criminal charge should be made by a jury – by one judge alone – or by a number of judges – or by some other method?
15. If you were asked, would you be prepared to serve on a jury in a criminal case? (IF INTERVIEWEE SAYS HE/SHE IS NOT ELIGIBLE, ASK: If you *were* eligible and *were* asked . . .)
16. Have you ever served or been asked to serve on a jury in a criminal trial?
17. A criminal trial jury consists of twelve people. How many of these jurors should have to agree to establish the guilt or innocence of a person who is being tried on a criminal charge?
18. The next section is about prison life. In general, do you think that prisoners are treated too leniently, too harshly, or about right in this state?
- 18a. IF “TOO LENIENTLY” OR “TOO HARSHLY”, ASK:
In what way are they treated too leniently/harshly?
19. In Australia, there have been many suggestions made and actions taken to change conditions in prisons. Would you agree or disagree with the following suggestions for changes in prison life? Would you agree or disagree that prisoners should be given the opportunity to have sexual relations with their husbands or wives while serving their prison sentences? (PROBE: If suitable

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arrangements were made for them to be together in private . . . ?)

20. In Queensland, judges and magistrates are allowed to sentence people with minor convictions to serve their prison sentence over a number of week-ends rather than over a fixed period involving being in prison every day of the week. Do you agree or disagree with this scheme of "week-end imprisonment"?
- 20a. IF "AGREE" TO QUESTION 20, ASK:
What sort of people do you think should be sentenced to "week-end imprisonment"?
21. Should prisoners receive any type of wages for the work they do in prison?
- 21a. IF "YES" TO QUESTION 21, ASK:
Should they receive the same wage as they would outside the prison for the same type of work?
22. When a prisoner is released, do you think the government of this state should do more to help him re-establish himself in the community – or do you think too much is done now – or do you think prisoners receive about the right amount of help from the state government?
- 22a. IF "SHOULD RECEIVE MORE", ASK:
How do you think the government of this state should help prisoners more when they are released from prison?
23. The next few questions are about probation and parole. Could you tell me, very briefly, what you think *parole* means? (RECORD ANSWER IN FULL.)
- 23a. IF ANY SORT OF ANSWER IS GIVEN TO QUESTION 23, ASK:
What sort of offenders do you think should be placed on parole? (RECORD ANSWER IN FULL.)
24. Could you tell me, very briefly, what you think *probation* means? (RECORD ANSWER IN FULL.)
- 24a. IF ANY SORT OF ANSWER IS GIVEN TO QUESTION 24, ASK:
What sort of offenders do you think should be placed on

- probation? (RECORD ANSWER IN FULL.)
25. Thinking about *crime* in this neighbourhood, do you think things have been getting worse or staying about the same during the past few years?
- 25a. IF "GETTING WORSE" OR "GETTING BETTER", ASK:
In what ways? (RECORD ANSWER IN FULL.)
26. Now – thinking about crime in this city, do you think things have been getting worse or staying about the same during the past few years?
- 26a. IF "GETTING WORSE" OR "GETTING BETTER", ASK:
In what ways? (RECORD ANSWER IN FULL.)
27. Would you say you do any of the following things because of fear of crime? Would you: (READ OUT EACH ITEM ON THE LIST AND CIRCLE THE APPROPRIATE NUMBER ON THE RIGHT)
- a) stay off the streets at night, I mean don't go out walking?
 - b) use taxis or drive at night, rather than walk?
 - c) avoid being out alone?
 - d) avoid talking to strangers?
 - e) take more care in locking up your house?
 - f) install special locks or chains on doors or windows?
 - g) keep a watch-dog?
 - h) own or carry weapons now?
- Anything else? (SPECIFY.)
28. When you go out, do you carry anything to protect yourself?
- 28a. IF "YES" TO QUESTION 28, ASK:
What do you carry? (RECORD ANSWER IN FULL.)
- 28b. IF "YES" TO QUESTION 28, ASK:
When do you carry this? (RECORD ANSWER IN FULL.)
29. Do you or does any member of your family own a firearm? (PROBE: A gun of any kind – pistol, rifle, shotgun . . . ?)
- 29a. IF "YES, R DOES" or "YES, OTHER MEMBER OF HOUSEHOLD DOES", ASK:
Is the weapon for use in hunting or for protection, or perhaps some of both?

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30. Apart from firearms, do you or does any member of your household own any weapon or object that you keep specially to protect you, or your family?
- 30a. IF "YES, R DOES" OR "YES, MEMBER OF HOUSEHOLD DOES", ASK:
What sort of weapon or object? (RECORD IN FULL.)
31. Would you say there has been an increase or decrease in violent crime in this city? I mean attacks on people – like shootings, stabbings, and rapes. Would you say that there is now very much more of this sort of thing – just a little more – not much difference – or that there is no more than five years ago? (IF RESPONDENT HAS BEEN A RESIDENT FOR LESS THAN FIVE YEARS, ASK: Well, from what you've heard . . . ?)
32. Do you now have an insurance policy that protects your household belongings against theft or burglary?
33. About how many people would you guess were murdered in this state in the last twelve months? Just give me your best guess. (IF UNSURE, SAY: Well, would you say 1, 5, 10, 50, 100, or 500 – just tell me how many you think there might be?)
34. About how many rapes would you say were reported in this state in the last twelve months? Just give me your best guess. (IF UNSURE, SAY: Well, would you say 1, 5, 10, 50, 100, or 500 – just tell me how many you think there might be?)
35. How many bank hold-ups would you say took place in this state in the last twelve months? Just give me your best guess. (IF UNSURE, SAY: Well, would you say 1, 5, 10, 50, 100, or 500 – just tell me how many you think there might be?)
36. What do you think would be the most important thing that can be done here to cut down the amount of crime?
(RECORD IN FULL – DO NOT PROMPT. NOTE RESPONSES IN ORDER IN WHICH THEY ARE GIVEN.)
- 36a. Anything else?
37. Thinking back over your entire life, what would you say was the worst crime that has ever happened to you – the very worst thing in all your life? (PROBE: I mean at any time in your life, no

matter how long ago?) (PROBE: Not even little things?)
(RECORD ANSWER IN FULL.)

37a. IF "YES" TO QUESTION 37, ASK:

Did you call the police about it, or get someone to report it?

37b. IF "NO" TO QUESTION 37a, ASK:

Why didn't you tell the police about it? (RECORD IN FULL.)

SAY:

Various types of sentences can be given by Australian courts. Some of these are printed on this card. (HAND RESPONDENT CARD.)

Card 2

Should not be a crime at all

Should be a crime, but no sentence or punishment

Caution or warning (conviction with no penalty)

Probation

Fine of less than \$5

Fine of between \$6 and \$50

Fine of between \$51 and \$100

Fine of between \$101 and \$500

Fine of over \$500

Prison for less than 6 months

Prison for 6 months to 1 year

Prison for 1 to 2 years

Prison for 6 to 10 years

Prison for over 10 years

Life imprisonment

Death penalty

Whipping

Sterilization

Out-patient medical or psychiatric treatment

Committal to an institution

Restitution

Deregistration or loss of licence.

I am going to read out some situations. I would like you to say which of the punishments — if any — you would give to each situation as I

Appendix A

read it. Under the line on the card, you will see some other punishments. If you feel that any of these should be applied — *as well* as those above the line — to certain cases — you may use them in addition to the others. If you don't think that certain situations require any action by the courts, please say so.

(MAKE SURE THE RESPONDENT UNDERSTANDS THIS. SHOULD HE GIVE ONLY ONE PUNISHMENT WHICH COMES FROM THE LIST BELOW THE LINE ON THE CARD, ASK: Anything else from above the line?)

READ THE LIST OF SITUATIONS ONE AT A TIME. FOR EACH ONE, RECORD THE ANSWER IN FULL. DO NOT GO BACK OVER PREVIOUS ITEMS TO ALLOW COMPARISON. IF NECESSARY, SAY THAT IT IS ONLY THE FIRST THOUGHTS THAT YOU ARE INTERESTED IN. YOU MAY READ THE LIST (QUESTIONS 38-62) IN ANY ORDER YOU CHOOSE.

[NOTE: In fact, interviewers were instructed during their training to vary the order of presentation of questions 38 to 62.]

38. A man steals money or goods valued at less than \$500 by breaking into a house at night.
 39. Two adult males are caught engaging in homosexual practices in a private home.
 40. An adult male sexually assaults a young child.
 41. A company director fraudulently misappropriates \$300,000 from company funds.
 42. A motorist with no previous convictions kills a person by recklessly driving a car.
 43. An eighteen-year-old boy has sexual intercourse with a consenting girl whom he knows to be fifteen.
 44. A young person is found in possession of marijuana. He has no previous convictions.
 45. A man armed with a gun holds up a bank and steals \$10,000.
 46. A young person is found in possession of heroin. He has no previous convictions.
- A father has sexual intercourse with his daughter.

48. A group of youths forcibly rape a female.
49. A doctor performs an abortion on a woman when it is believed that her child will be born with a serious mental or physical defect.
50. During the course of an armed robbery, a man shoots and kills an employee of an organization he is trying to rob.
51. A man forcibly rapes a female.
52. A young person defaces or destroys public property.
53. An adult is caught selling marijuana to young people.
54. A man assaults another man. The victim requires a considerable period of hospitalization.
55. A doctor performs an abortion on a woman when it is believed on reasonable grounds that she will be unable, economically, to support the child.
56. A person is found drunk and disorderly in a public place.
57. A man shoots and kills his wife whom he knows to have been unfaithful to him.
58. A doctor has been performing abortions regularly without considering the reasons why the women want abortions.
59. A woman is caught shoplifting goods from a store.
60. A person who is married has sexual intercourse with a consenting person who is not his or her lawful husband or wife.
61. A man steals money or goods valued at less than \$500 from a shop or factory.
62. An adult is caught selling heroin to young people.

(SAY: Could I have the card back now please? Thank you.) Would you mind giving me a few particulars about yourself to help in classifying the data we obtain in the survey? Thank you.

NOTE SEX OF RESPONDENT

63. Would you mind telling me your age?

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64. Could you tell me your present occupation, please?
(IF HOUSEWIFE, STUDENT, RETIRED, PENSIONER,
PLEASE NOTE THIS. IN THESE CASES, DO NOT GIVE
PREVIOUS OCCUPATION. OBTAIN AND RECORD
OCCUPATION IN DETAIL.)
POSITION
INDUSTRY
65. Are you the head of the household? (Do you have the main
source of income?)
66. IF R IS HEAD OF HOUSEHOLD, WRITE "AS ABOVE" IN
THIS QUESTION.
Could you tell me the present occupation of the head of this
household? (OBTAIN IN DETAIL AS FOR QUESTION 64.)
POSITION
INDUSTRY
67. Are you married?
68. Could you tell me where you were born?
69. Could you tell me how much education you have had?
(WRITE THE ANSWER ON THE LINE PROVIDED, THEN
CIRCLE THE NUMBER OPPOSITE THE APPROPRIATE
CATEGORY. OBTAIN IN DETAIL. IF EDUCATION OUTSIDE
AUSTRALIA, OBTAIN THE COMPARATIVE LEVEL. PROBE
IF NECESSARY.)
70. Would you mind telling me your religion?
71. Would you describe yourself as a strong churchgoer, a moderate
churchgoer, or don't you go very often?
72. How long have you lived in this neighbourhood?
73. How long have you lived in this city?
74. Do you drive a car?
- (SAY: Thank you very much for your co-operation.)

APPENDIX B

The second survey reported in this book was conducted in conjunction with Professor F. A. Whitlock and Mr. Alec Pemberton, both of the University of Queensland. The survey was conducted in the Brisbane suburbs of Carina and The Gap. Most of the information obtained for the purposes of this study was contained in a separate section called an Incident Form attached to the back of the questionnaire. One Incident Form was completed for every instance of victimization reported to the interviewers.

To assist respondents in recalling incidents, a series of cards was presented containing comprehensive lists of offences which could have been committed against them. The lists of offences presented on the cards were similar to those in the "Report on a Pilot Study in the District of Columbia on Victimization and Attitudes Toward Law Enforcement" which was submitted to the President's Commission on Law Enforcement and Administration of Justice (Field Surveys I (Washington D.C.: U.S. Government Printing Office, 1967), pp. D29-38).

Demographic and other information required for this study was obtained from the main part of the questionnaire. Some of these questions have been reproduced here but the questions regarding age, occupation, etc. have been omitted since they are almost identical to those in Appendix A.

Appendix B

Questions from Main Questionnaire

- *Firstly, could you tell me how long you have been living in this neighbourhood?
- *Could you tell me how many times the family has shifted during the past ten years?
- *Do you like living in this neighbourhood? Would you say you are very satisfied, satisfied, dissatisfied, very dissatisfied – or would you say you are neither satisfied nor dissatisfied?
- *Would you say the people living in this neighbourhood keep out of trouble with the law, or are there some people who regularly get into trouble with the law?
- *Have you ever had to call the police about anyone in this neighbourhood?
IF "YES": When was the last time you had to call them about someone in this neighbourhood? What was that about?

Introduction for Incident Form

I wonder if you could give me some information about crimes which have happened to you or to members of this household in the last *ten years*, or (*if R has not lived in the neighbourhood for ten years*) since you moved to this neighbourhood? RECORD ALL INCIDENTS MENTIONED, THEN SAY: Could you just look through these cards and see if you can remember anything (else) which might have happened to you, or any member of the household (in the last ten years)? (RECORD DETAILS OF EACH OFFENCE ON A SEPARATE FORM, THEN CLIP THE FORMS FIRMLY TO THE QUESTIONNAIRE.)

INCIDENT FORM: COMPLETE A SEPARATE FORM FOR EACH OFFENCE MENTIONED.

1. Could you tell me exactly what happened on that occasion?
2. To whom did this happen, which member of your household?
3. How long ago did this happen?

4. Could you tell me where it took place?
 - a. Did it happen in this suburb or somewhere else?
 - b. Did it happen in your own home or somewhere else?
5. Was this offence reported to the police?
- 5a. IF "NO", ASK: Here are some reasons people have often given when they did not notify the police of a crime. Which of these reasons did you consider *at all*, and which did you *not consider*? (READ EACH REASON BELOW AND CIRCLE THE APPROPRIATE NUMBER.)
 1. Did not want to take the time, might mean time spent in court or lost from work
 2. Did not want harm or punishment to come to the offender
 3. Afraid of reprisals
 4. Thought it was a private not a criminal matter
 5. Police couldn't do anything about the matter
 6. Police wouldn't want to be bothered about such things
 7. Didn't know how to notify them or that they should be notified
 8. Too confused or upset to notify them
 9. Not sure the real offenders would be caught
 10. Fear of insurance cancellation or increased rates.
- 5b. Which of these would you say was the *most important* reason why you did not notify the police of this incident? (IF NECESSARY, READ REASONS TO WHICH R SAID "YES" IN 5a.)
6. IF "YES" TO QUESTION 5, ASK: What action did the police take?
7. IF "YES" TO QUESTION 5, ASK: Were you (the person involved) satisfied with the way in which the police handled the matter?
8. Did you (the person involved) know the person who committed

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the offence?

9. Was the offender from this district (suburb)?
10. Could you tell me the extent of the injury, loss, or damage to property incurred by the victim? (RECORD IN FULL.)

NOTES

Notes to Chapter 1

1. L. Kamisar, "When the Cops Weren't Handcuffed", *New York Times*, 7 November 1965.
2. M. Buck, "Crime Wave and Law Enforcement", 131, *Outlook* 16, 17, 3 May 1922.
3. *Ibid.*, 16.
4. A. Stevenson, "Breakdown of Law Enforcement". Address to the American Bar Association, November 1950.
5. For a historical examination, see P. Ward and G. Woods, *Law and Order in Australia* (Sydney: Angus and Robertson, 1972), or D. Chappell and P. R. Wilson, *The Police and the Public in Australia and New Zealand* (St. Lucia: University of Queensland Press, 1969).
6. Ward and Woods, *Law and Order in Australia*, p. 18.
7. L. Paul Sutton, "Citizen Participation in Law Enforcement: Meaning and Method", unpublished paper, School of Criminal Justice, State University of New York at Albany, 1972.
8. These studies and surveys are summarized in J. McIntyre, "Public Attitudes toward Crime and Law Enforcement", *American Criminal Law Quarterly* 6 (1968): 66-81.
9. V. O. Key, *Public Opinion and American Deviancy* (New York: Alfred A. Knopf, Inc., 1961), p. 481.
10. J. S. Hoffman and P. Levack, *Burke's Politics* (New York: Alfred A. Knopf, 1949), p. 115.
11. *Ibid.*, p. 115.
12. P. R. Wilson, "The Politics of Research and Reform in Criminology", *Australian and New Zealand Journal of Criminology* (in press).

Notes to Chapter 2

1. See *The Challenge of Crime in a Free Society: A Report by the President's Commission on Law Enforcement and Administration of Justice*

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- (Washington, D.C.: U.S. Government Printing Office, 1967). See also Jennie McIntyre, "Public Attitudes toward Crime and Law Enforcement", *American Criminal Law Quarterly* (Winter 1968), p. 66 ff.
2. Frank F. Furstenberg, Jr., "Public Reaction to Crime in the Streets", *American Scholar* 40 (Autumn 1971): 601 ff.
 3. McIntyre, "Public Attitudes toward Crime and Law Enforcement", p. 67.
 4. The six problems were taken from an American study reported in *The Challenge of Crime in a Free Society*, p. 49.
 5. *Ibid.*, p. 50.
 6. *Ibid.*, p. 51.

Notes to Chapter 3

1. D. Chappell and P. R. Wilson, *The Police and the Public in Australia and New Zealand* (St. Lucia: University of Queensland Press, 1969), p. 39.
2. *Report of the Committee on Homosexual Offences and Prostitution* (H.M.S.O., 1967).
3. See, for example, N. Morris and G. Hawkins, *The Honest Politician's Guide to Crime Control* (Melbourne: Sun Books, 1970).
4. P. R. Wilson, "The Trouble with Lawyers", *Australian Journal of Social Issues* (in press).
5. George Jackson, *Soledad Brother* (Harmondsworth, Middlesex: Penguin, 1971).

Notes to Chapter 4

1. See, for example, E. M. Schur, *Crimes Without Victims* (New Jersey: Prentice Hall, 1965), and also P. R. Wilson, *The Sexual Dilemma* (St. Lucia: University of Queensland Press, 1970).
2. N. Morris and G. Hawkins, *The Honest Politician's Guide to Crime Control* (Melbourne: Sun Books, 1970).
3. Wilson, *The Sexual Dilemma*.
4. D. G. Gibbons, *Society, Crime and Criminal Careers* (New Jersey: Prentice Hall, 1968), p. 34.
5. T. Sellin and M. E. Wolfgang, *The Measurement of Delinquency* (New York: John Wiley & Sons, 1964).
6. The techniques of sampling and administration used in the survey are described in chapter 2.
7. Morris and Hawkins, *Honest Politician's Guide*, p. 15.
8. Wilson, *The Sexual Dilemma*.
9. *Ibid.*

Notes to Chapter 5

1. *Criminal Victimization in the United States: A Report of a National Survey, A Report of a Research Study Submitted to the President's Commission on Law Enforcement and Administration of Justice* (Washington, D.C.: U.S. Government Printing Office, 1967).

2. See F. A. Whitlock, P. R. Wilson, and A. Pemberton, *Social Pathology and Social Class* (in preparation).
3. The questionnaire is reproduced in Appendix B.
4. See D. Chappell and P. R. Wilson, *The Police and the Public in Australia and New Zealand* (St. Lucia: University of Queensland Press, 1969), pp. 179-80.
5. *Criminal Victimization in the United States*, Appendix A, Incident Form, p. 11.

Notes to Chapter 6

1. See Jennie McIntyre, "Public Attitudes toward Crime and Law Enforcement", *American Criminal Law Quarterly* (Winter, 1968).
2. See chapter 2.
3. *The Challenge of Crime in a Free Society: A Report by the President's Commission on Law Enforcement and Administration of Justice* (Washington, D.C.: U.S. Government Printing Office, 1967), p. 60.
4. See chapter 3.
5. *The Challenge of Crime in a Free Society*.
6. Ibid.
7. See chapter 2.
8. This was a development of Oeser and Harary's mathematical approach to structural role theory. See O. E. Oeser and S. Harary, "A Mathematical Model for Structural Role Theory", *Human Relations* 15 (1962): 89-109.

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