

# Made to Order: A Preliminary Review of Crime Risk Assessments in New South Wales, Australia

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## Abstract

In 2001, guidelines were introduced in New South Wales (NSW) to ensure that proposed developments/redevelopments of the built environment reflected key crime prevention through environmental design (CPTED) principles. The guidelines state that in certain circumstances a crime risk assessment report is required on the proposed development. To date, these guidelines have not been evaluated, making it impossible to assess their impact and the utility of the associated crime risk assessment reports. Partially to address this gap, a small number (four) of publicly available crime risk assessment reports have been reviewed and key issues highlighted here. In particular, the relevance of some aspects of these reports is questioned, as is the impact of the relationship between the client (i.e. developer) commissioning the report and the 'independent' consultant. The small sample of risk assessment reports reviewed here cannot be considered representative of the larger body of such reports. Further research is required to determine the veracity of the findings of this small review.

## Crime Prevention through Environment Design (CPTED)

CPTED is 'the proper design and effective use of the built environment' which 'can lead to a reduction in the fear and incidence of crime, and an improvement in the quality of life' (Crowe 2000:46). Key CPTED concepts include: natural surveillance or 'eyes on the street' (Jacobs 1961), which increases the risks of detection for would-be offenders; territorial reinforcement (Newman 1972), which encourages the clear delineation of public and private space and promotes regular upkeep of these spaces; access control, which involves measures to restrict access to particular locations or buildings; and space management (Crowe 2000), which involves the maintenance, repair and activation of defined spaces. Together, these CPTED concepts seek to prevent crime by increasing the activities in and surveillance of public areas; restricting access to private areas; and delineating the transition from public to private spaces to promote a sense of ownership and control.

These CPTED concepts form the basis of design guidelines adopted across Australia in the last ten years. These guidelines attempt to ensure that crime risks are minimised when new developments are being planned, rather than dealing with crime problems after they have been constructed.

## The NSW Approach: Section 79c Guidelines

In April 2001, the then NSW Department of Urban Affairs and Planning released 'Crime Prevention and the Assessment of Development Applications: Guidelines under Section 79c of the *Environmental Planning and Assessment Act 1979* (NSW)'.<sup>2</sup> Specifically, these eight-page guidelines (five pages of text)

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<sup>2</sup> This document will be referred to as the guidelines for the remainder of the article. A copy of the guidelines can be accessed at <[http://www.shop.nsw.gov.au/shopnsw/documents/agency3/crimeprevention\\_s79c.pdf](http://www.shop.nsw.gov.au/shopnsw/documents/agency3/crimeprevention_s79c.pdf)>

were designed to help councils (local government) to identify crime risks and to minimise opportunities for crime. If a proposed development presents a crime risk, the guidelines can be used to justify the modification of the development or the refusal of the development application.

The guidelines contain two parts: Part A states when a formal crime risk assessment is required, while Part B explains basic CPTED principles (i.e. surveillance, access control, territorial reinforcement and space management) that should be considered in assessing all development applications.

A formal crime risk assessment is needed for any development that is likely (in the council's opinion) to create a risk of crime. Examples would include:

- A new/refurbished shopping centre or transport interchange;
- A large scale residential development (more than 20 new dwellings); and
- The development or redevelopment of a mall or other public place, including the installation of new street furniture.

The guidelines provide little tangible instruction on how a crime risk assessment should be conducted or how a crime risk assessment report should be presented. The following information has been reproduced from the guidelines and demonstrates the limited concrete advice provided.

### *What is a Crime Risk Assessment?*

A crime risk assessment is a systematic evaluation of the potential for crime in an area. It provides an indication of both the likely magnitude of crime and likely crime type. The consideration of these dimensions (crime amount and type) will determine the choice and appropriate mix of CPTED strategies.

### *How to Assess Crime Risk*

There are two important steps when assessing crime risk:

- Obtain an understanding of the crime risk of the area; and, if required; and
- Apply (CPTED) treatments that correspond with levels of risk present in the area. (NSW Department of Urban Affairs and Planning 2001:3)

## Crime Risk Assessment Reports in NSW

Since the inception of these guidelines there has been no formal evaluation of their impact or efficacy. Given that it is estimated that in excess of 110,000 development applications are lodged annually in NSW (NSW Department of Planning 2007:66), it is likely that a substantial number of crime risk assessment reports have been compiled since the introduction of the guidelines. While not all developments will require a crime risk assessment report, it is likely that many developments will have met the aforementioned criteria and hence required crime risk assessment reports to be developed.

In the interests of opening up these practices to debate and scrutiny, four crime risk assessment reports have been 'reviewed'. These reports are in no way representative of crime risk assessment reports produced in NSW more generally. They have been chosen because they were prepared by different consulting companies, focus on different sites (i.e. hospital extension, cultural precinct, heritage walk and mixed use development) and were easily accessible (i.e. they were the first reports to be flagged by a Google search), which is not always the case. Despite the limitations of this review, analysis of these reports provides an insight into practices rarely canvassed in the criminological literature to date.

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## Methodology

The review of the crime risk assessment reports consisted of two parts: the first involved highlighting the methods used in compiling the crime risk assessment reports, while the second involved analysing the content of the reports.

It should be acknowledged that there are numerous unknown variables that will have impacted upon the drafting of the reports reviewed here. The size of the project fees, the longevity of the project, the requirements outlined by the client and the complexity of the project are all factors potentially influencing the time invested in compiling these reports.

### *Methods Used in Compiling Crime Risk Assessment Reports*

To gain an understanding of the methods used to compile the crime risk assessment reports, an initial review of the following was conducted:

- Crime data – did the report mention local crime data?
- Site visits – were site visits conducted and mentioned in the report?
- Stakeholder consultations – were stakeholders consulted and mentioned in the report?
- Demographic data – was demographic data for the area of the proposed development included?
- Plans reviewed – were architectural plans for the proposed development reviewed and overtly referenced?
- Length – how long was the report?
- Generic CPTED – were generic CPTED concepts explained and used in assessing the crime risk of the proposed development?
- Recommendations – were recommendations made in relation to how crime risks could be minimised by the proposed development?
- Adverse findings – did the crime risk assessment report contain any adverse findings?

Table 1 provides a brief overview of some of the key findings from this review.

**Table 1: Comparison of the Four Crime Risk Assessment Reports**

	Methodology Outlined in Report					Report			
	Crime Data	Site Visits	Stakeholder Consultations	Demographic Data	Plans Reviewed	Length	Generic CPTED	Recommendations	Adverse Findings
1	YES including crime maps	NO	NO	NO	YES (barely mentioned)	10 pages	YES	NO	Nil
2	YES limited data analysis	NO	YES	NO	YES	18 pages	YES	YES	Limited
3	NO	NO	NO	NO	YES (limited references)	13 pages	YES	NO	Nil
4	YES including crime maps	YES 1 site visit of 2 hours duration	YES	YES	YES	43 pages	YES	YES	Limited

Thus:

- One report did not include any crime data for the area of the proposed development;
- Three reports did not mention any site visits;
- Two reports did not mention any stakeholder consultations;
- Three reports did not include any demographic data for the area of the proposed development;
- Two reports did not include any recommendations on how the proposed development could prevent crime risks;
- Two reports did not mention any adverse findings in relation to the plans of the proposed development.

These findings give some indication of the nature of the information included in crime risk assessment reports and the processes adopted in developing the reports. While different developments will necessitate different approaches, it might have been expected that greater attention would have been given to some of these issues.

## Qualitative Observations of Crime Risk Assessment Reports

Having reviewed the reports and made some initial quantitative observations, the content of the reports were then reviewed in depth. Trends arising from this analysis are presented below.<sup>3</sup>

### *Favourable Commentary of the Proposed Development*

Of the four reports reviewed, it could be argued that they all tended to provide favourable commentary regarding the benefits of the proposed development. For example:

The [proposed development] will also act as an activity generator by attracting more ... users who will be intrigued by the high quality design ... (Report 3, page 7)

<sup>3</sup> Authorship of each of the four reports is not disclosed in this article. Report numbers will be used to link any quotes to the relevant report.

In terms of the design assessment we regard the overall design of the proposed [facility] building as robust, reinforcing access principles, strong amenity and attention to security and public surveillance. (Report 4, page 28)

Whether these observations would be regarded as objectively true (however defined) or whether they are influenced by the relationship between the consultant and the client is open to question. Crime risk assessments are generally commissioned and paid for by the developer. This dynamic can create some obvious tensions. The developer wants smooth passage of the development application so that it can quickly move to construction and then potentially sale (or lease) of the proposed development. It will seek profit from its investment in the land or existing site. Profit will generally be maximised by completing the preparatory work as swiftly as possible.

In the context of a crime risk assessment, this can have major implications. The first pertains to the project fees. Given that the developer will have a host of outgoings prior to recouping any money through sales/rentals, it is likely that the developer will seek to reduce expenditure wherever possible. This might mean that only small sums will be allocated for completion of a crime risk assessment. The size of the project fee will determine the amount of time that can be invested in completing the aforementioned processes, which will in turn affect the quality of the analyses.

There will generally be little desire to invest further money to modify plans based on recommendations made during the crime risk assessment. Consequently, there is likely to be implicit pressure to highlight the strengths of the proposed development from a crime risk perspective, without drawing too much attention to the potential crime risks. This can mean that crime risk assessment reports are slanted towards the best interests of the client (i.e. the developer), rather than being a completely objective report (as illustrated by some of the comments above).

Perhaps this tendency is unsurprising in a market-based economy. With the growing influence of the private sector in crime prevention (and criminal justice-related) activities (Crawford 2000; Garland 2001) and the commodification of crime prevention expertise, independent advice is a potential victim of commercial relationships. What perhaps is a surprise is the fact that the emerging market for crime risk assessments has been occupied (in the case of the four reports reviewed here) by social and urban planning consultancy companies, rather than private security companies, which have traditionally been the focus of criminological commentary (Shearing and Stenning 1985; Loader and Walker 2007; Zedner 2009).

### *Relevance of CPTED Principles to Specific Developments*

The four CPTED principles (i.e. surveillance, access control, territorial reinforcement and space management) have differing relevance to specific developments. For example, one report states that 'the principle of access control has been omitted entirely from the assessment ... owing its lack of relevance to this development proposal'. This is likely to be true for many developments involving public space. Moreover, there will often be little or no clear plans for future-oriented space management regimes when a crime risk assessment is compiled. This means that half of the CPTED principles adopted by the NSW guidelines will be redundant for some developments, which raises questions about the utility of the current guidelines.

### *Uncertainty of Commitments and Lack of Appropriate Standards of Accountability*

A number of undertakings and recommendations contained within the crime risk assessment reports are difficult to quantify, and it can be particularly difficult to determine the adequacy of the suggested remedies. For example, the following recommendation was made on no fewer than eight occasions in one report:

After hours management measures such as adequate levels of lighting, CCTV and security patrols. (Report 4, pages 29, 30, 31 and 33)

What constitutes 'adequate levels of lighting, CCTV and security patrols'? The standards one would use to assess these practices are subjective, rendering recommendations of this kind somewhat hollow. It is also difficult to see how future-oriented commitments of this kind will be policed after consent has been given to commence development.

### *Overstating the Merits of CPTED*

Various commentators have cautioned against overstating the merits of CPTED. Shaftoe and Read (2005:250) suggest that 'there is much common sense in a "designing out crime" approach, but also a danger of overstating its impact'. Moreover, Schneider and Kitchen (2007:47-60) have highlighted the mixed evidence of success for particular CPTED treatments, such as permeability, mixed used developments and gated communities. Despite these cautionary words, it could be argued that there is a tendency to overstate the merits of CPTED in crime risk assessment reports. For example:

CCTV is proposed to be mounted within the (site) which will enhance real and perceived safety and thereby encourage greater use of the (site). (Report 1, page 8)

The design of the (proposed site), its physical appearance and surrounding environment would be such that it will encourage people to gather in an area of public space and consequently provide them with some responsibility for its use and condition. (Report 3, page 7)

Each of these statements denotes a confidence with the associated CPTED principle or technique that some would regard as overly optimistic. The tendency towards sweeping positive generalisations about particular features of a development neglects the limited and often contradictory evidence regarding the utility of particular treatments.

### *Relevance of Data*

Three of the four reports contained some reference to crime data and one included demographic data (including mean income for the area and population statistics). The following section of one report demonstrates the manner in which crime data was generally used (where it was used) in these reports.

Table 1 summarises the crime rates for offences of particular relevance to the proposed development, comparing X, Y and Z local government areas to NSW as a whole. The offences are listed in order of rate per 100,000. Data reveals that in a number of offence categories, the rate per 100,000 was higher than the NSW average, this includes:

- Steal from motor vehicle
- Steal from retail store
- Break and enter dwelling
- Steal from person
- Robbery with a firearm' (Report 4, page 15)

While other data is presented in the report, it is worth considering the relevance of this data to a crime risk assessment. First, Minnery and Lim (2005:331) rightly point out that 'CPTED is a local, intimate, small-scale phenomenon'. Presenting comparative data across local government areas<sup>4</sup> provides a very blunt form of analysis, especially in the context of a development for one small parcel of land within a local government area.

Second, it could be argued that the offences listed have little relationship to the proposed development. For example, the proposed development for which this report was prepared does not involve residential development, which reduces the relevance of data on the break and enter of dwellings. Given the nature of the proposed development, similar arguments could be made for robbery with a firearm and stealing from a retail store.

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<sup>4</sup> Local government areas (LGAs) in NSW can cover vast tracts of land. Even LGAs in Sydney can extend beyond 50 square kilometres.

Third, this data says nothing about land use in the vicinity of the proposed development. Analysis of land use and the identification of crime generators and crime attractors (Kinney et al. 2008), might prove more meaningful than simply providing broad crime trends for the relevant local government area.

Consequently, crime data presented in crime risk assessment reports can be of little relevance to the proposed development. Weatherburn (2004:166) suggests that 'crime prevention has, in effect, been "flying blind"' due to a lack of detailed information about crime'. It might be argued that crime risk assessments suffer from a similar blindness.

## Conclusion

Guidelines for section 79c of the *Environmental Planning and Assessment Act 1979* (NSW) were introduced in April 2001. These guidelines outline the circumstances in which a crime risk assessment (based on CPTED principles) should be undertaken for proposed developments. There has been no formal evaluation of these guidelines or commentary regarding associated practices. In the interests of opening up these practices to debate and scrutiny, four recent crime risk assessment reports were 'reviewed'. This preliminary review considered the methodologies adopted (as mentioned in the reports) and the general findings of the associated reports. Through this review, a small number of key issues were highlighted, including:

- The absence of site visits and stakeholder consultation in the preparation of the crime risk assessment reports;
- The brevity of the reports and the limited reference to adverse findings from the crime risk assessments;
- The favourable commentary towards the proposed developments, which raises questions about the independence of the crime risk assessment process;
- The relevance of CPTED principles to specific developments. This is especially true for developments involving public space, whereby access control largely becomes redundant. Considerations of space management are also potentially problematic, because at the time a crime risk assessment will be conducted, it is unlikely that specific plans will have been developed for how the space will be managed after it has been constructed;
- The uncertainty of commitments and the lack of appropriate standards or procedures to hold developers accountable to commitments made in the crime risk assessment reports;
- The potential to overstate the merits of CPTED, especially in light of the criticisms of the empirical basis of key CPTED concepts and principles; and
- The limited relevance of data, especially when it is presented for large geographical areas (like local government areas), despite the generally small size of the proposed development sites.

Given the limited focus on crime risk assessment reports to date and the absence of an evaluation of the impact of the NSW guidelines, it is argued that there is merit in exposing these practices to wider analysis. Further research is needed to determine if crime risk assessment reports are 'made to order' or are valuable, independent reviews of the potential crime risks associated with proposed developments. Moreover, further research should also focus on whether the existing NSW guidelines provide sufficient instruction for the production of crime risk assessment reports and are operating in a way that was intended by the legislature when they were first drafted.

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