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BURGLARY: A SOCIAL REALITY

Edited by
Satyanshu K. Mukherjee
and
Leona Jorgensen

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Edited by

Satyanshu K. Mukherjee and Leona Jorgensen

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EDITORS' PREFACE

The offence of burglary (including break, enter and steal) has become a matter of serious concern in Australia and in most of the western world. Longitudinal studies have shown that different periods in this century have had a varied impact on the incidence of this offence. Curiously, incidents of burglary appear to increase sharply in situations when the economy receives major set backs as well as when it grows at a very fast rate. However, the post second world war economic boom, especially in the western countries, has presented some special characteristics. The increase of burglaries appears to be closely linked with the growth in the economy, and the production and accessibility to the ever increasing number and variety of consumer goods, have led to a shift in the targets of burglary, both in terms of the types of premises broken into and kinds of goods stolen. During the last two decades private dwellings have become increasing targets so much that approximately three in five burglaries reported or becoming known to the police are residential burglaries. Burglaries of shops which constitute one third of all burglaries reported about 20 years back, now represent only one in seven.

These are some of the stark figures which emerged out of research at the Australian Institute of Criminology. These are well supported by statistics from Australia and overseas. It is this research project which prompted, in the main, this seminar on burglary. It seems, therefore, appropriate to briefly sketch the research and its relevance to this seminar.

The Youth and Crime Project, of which the burglary project is a part, began in 1982. A basic premise of this research was that the society is going through rapid change and the various components of such change, viz., social, cultural, moral and ethical, economic, technological etc., have an important bearing on human behaviour. Therefore, any explanation of behaviour patterns of various segments of the population must necessarily take into account this change. Also, a social problem like an increase in the incidence of crime needs to be understood in the context of this change. As will be seen from several of the presentations at the seminar the concept of social development occupies a central position in any discussion of patterns of burglaries and strategies to prevent and control. Also, the status of youth attains a special significance when arrest figures for the offence of burglary are examined.

Although the research at the Institute provided the main motive for the seminar there were a few other developments in Australia which also served as catalysts. The Victoria Police Department has already begun detailed research on burglary and have

produced reports. The Queensland Police Department, as part of their Strategic Crime Targetting Study have analysed the offence of burglary. In the Northern Territory, the Task Force on Juvenile Crime had paid significant attention to juvenile involvement in burglaries. A more significant development however, has been the introduction of neighbourhood watch schemes in six of the eight Australian jurisdictions, excluding Tasmania and the Northern Territory (it must be stated however, that both these jurisdictions are seriously assessing the value of such schemes). Victoria was the first jurisdiction to implement the neighbourhood watch scheme in March 1984 and early impressions of its impact seem encouraging.

The increasing number of incidents of burglaries in recent years has attracted considerable media attention. Also, insurance companies have expressed serious concern over this phenomenon because homeowners will eventually be asked to take extra precautions to protect their homes and also to bear the burden of an increase in premiums. Finally, the courts in recent times have shown great concern for the increase in residential burglaries and the infringement in privacy and security of the general population. In a few instances judges have given severe sentences to offenders charged with a number of burglaries with an aim to deter would be burglars.

The purpose of organising the seminar was not to consider and propose strategies to prevent burglaries. Indeed the aim was a modest one: to exchange information on the extent and nature of burglaries in different jurisdictions, and to discuss the current practices and strategies to curb the problem. The level of these exchanges and discussions was enhanced by the presence of noted Canadian Criminologist Professor Irvin Waller. His experience as a former Director General of Research in the Canadian Federal Government, as a researcher who carried out one of the pioneering works in the area of burglary and its victims, his involvement in Canadian Community Crime Prevention programs, and his extensive knowledge of such schemes in North America, Europe, and Japan, brought additional insights into the discussions. All the eight police departments in Australia accepted the invitation to participate in the seminar and at least one paper was presented by each of these representatives. These papers devoted a substantial portion on the prevention strategies, especially neighbourhood watch schemes. The working of these schemes dominated formal as well as informal discussions during the seminar. So far victims of burglaries have received very little official attention, although literature on their traumatic experiences is growing. Presentation of two papers on the subject generated some discussion. Discussion on sentencing at higher courts showed the awareness and concern of judges for increases in burglaries in general and residential burglaries in

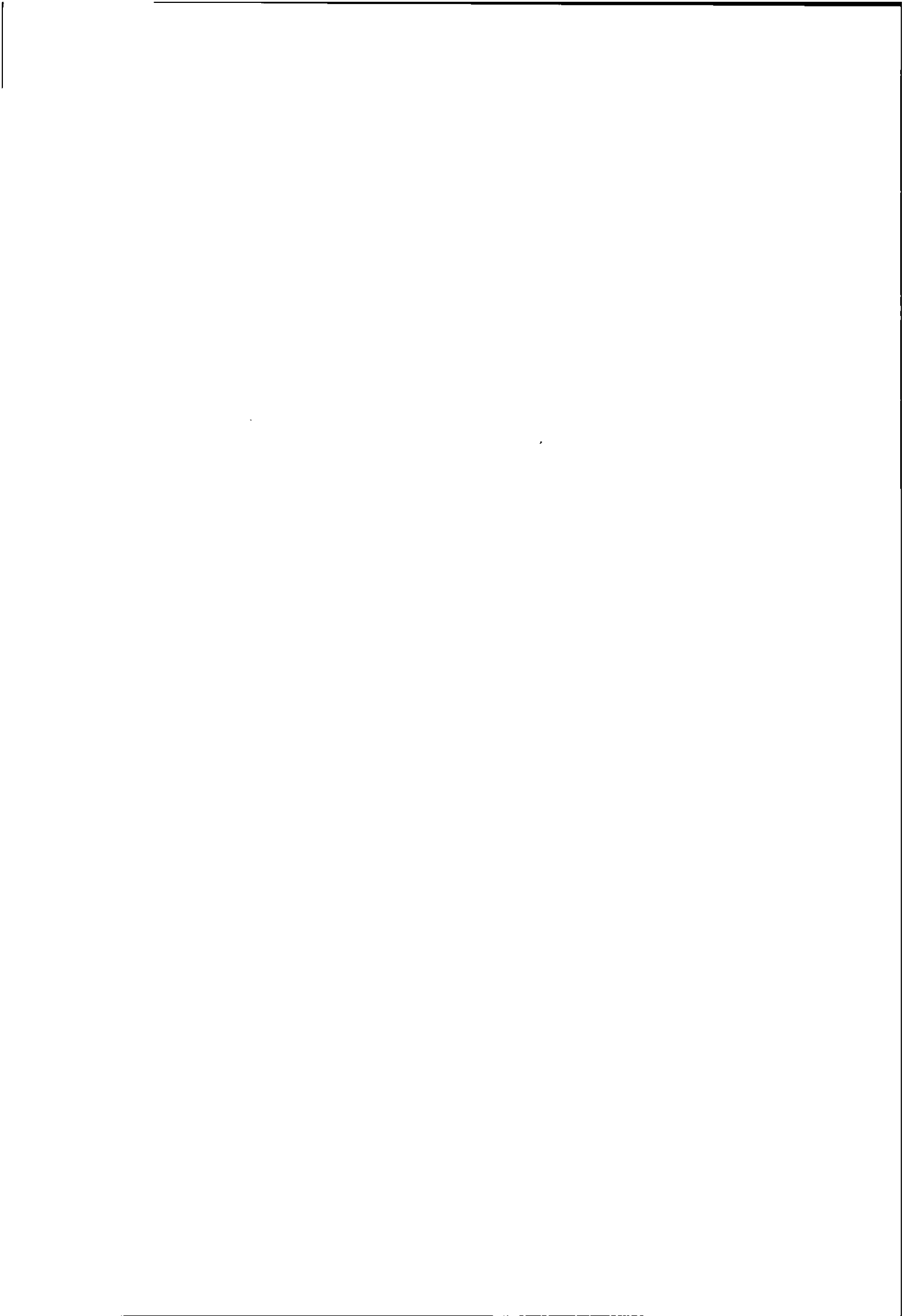
particular. The presence of representatives of insurance agencies generated lively discussion on the ultimate cost to the community and finally, there were also discussions on the relationships between drug use and crime and conducting research on property crimes.

Besides two speeches, 19 papers were either read or presented at the seminar. All these documents, with minor editorial changes, have been reproduced. The papers have not been arranged chronologically, that is, according to the sequence of presentation, rather these have been placed in the following thematic groups:

1. Burglary and the Burglars. Some of the papers in this group also discuss in detail current strategies for prevention.
2. Victims of Burglary.
3. Neighbourhood Watch and Other Strategies.
4. Sentencing for Break, Enter and Steal.
5. The Insurance Viewpoints and Further Research.

The last section of this volume contains a summary of discussions. This summary is not an exhaustive account of the deliberations, nor does it attempt to relate comments to particular papers. It is the gist of the points discussed in relation to some of the major issues. The major issues have been chosen from the papers and are discussed under the five thematic groups mentioned above.

The Australian Institute of Criminology is indebted to Mr Tom Cain, Head of the School of Law, and the staff at the Queensland Institute of Technology for their part in the organisation of the seminar. The editors would also like to express their sincere thanks to Val McKenzie, Glenys Rousell, Trish Psaila, and Anita Scandia for their help with the production of this publication.



WELCOMING ADDRESS

David Biles
Deputy Director
Australian Institute of Criminology
Canberra

On behalf of Professor Richard Harding, who is unavoidably absent, it is my pleasant duty to welcome you to this seminar on the subject of burglary which is being conducted by the Australian Institute of Criminology. The Institute is located in Canberra, as I am sure you all know, but we are holding this seminar in Brisbane, not only to avoid the bitter cold of Canberra, but also to indicate that the Institute is a national body with national responsibilities. As far as our resources allow, we try to hold some of our functions away from Canberra; in other states, where the major problems of crime and justice are to be found.

I am not suggesting for a moment that burglary is a more serious problem in Brisbane than it is elsewhere, and I am quite sure that my colleague, Dr Mukherjee, and the Queensland Police representatives will give us the true picture on that, but burglary is without doubt one of the major and increasing crime problems which is causing a great deal of concern in all Australian capital cities. Brisbane was particularly chosen as the location for this seminar as we received a most welcome offer of assistance from the School of Law of the Queensland Institute of Technology. I would like to thank the head of the school, Mr Tom Cain, for his enthusiastic support and assistance.

The research and training activities of the Australian Institute of Criminology cover a wide range of topics, all of which are approved by the Institute's Board of Management, which includes representatives of the states as well as the Federal Government. Currently, there is research being undertaken in the Institute on corporate and white collar crime, occupational health and safety, domestic violence, deaths in prisons, Aborigines and criminal justice, the principles of sentencing, various aspects of victimology, the outcome of remand in custody, terrorism, drug control policy as well as many matters concerning police and correctional policy and practice. All of these topics are vitally important to the welfare of this nation, but we as criminologists, must never lose sight of the fact that what is most important are those crime problems which cause most anxiety and anguish to the ordinary person in the street. Burglary undoubtedly falls into that category. I am therefore very pleased to be welcoming you to a seminar on the subject of burglary, and I express the hope that some positive and practical proposals for reducing the incidence of burglary will come out of this seminar.

I would like to offer a very special welcome to our distinguished overseas visitor, Professor Irvin Waller from the University of Ottawa. Professor Waller, who is a world expert on the subject of burglary, will be addressing this seminar later this morning.

The Institute is particularly honoured by the presence here this morning of the Queensland Attorney-General and Minister for Justice, the Honourable Neville Harper. I would like, Mr Attorney, to place on record the great debt that the Institute of Criminology owes to you and your ministerial colleagues for your continued support and interest in our work. Just a couple of months ago in Perth at the Annual Conference of Corrective Services Ministers, your colleague, Mr Geoff Muntz, Minister for Welfare, expressed his appreciation of the work of the Institute in the corrections area. Also, Mr Attorney, I would like you to know that your representative on the Criminology Research Council and the Board of Management of the Institute, Mr Ken MacKenzie, Solicitor-General, is most assiduous in the support he gives to these two bodies. He reads all of the extensive documentation with great care and, as he should, keeps me and my colleagues on our toes by his astute questioning and by expressing a very practical viewpoint.

Some people have suggested that the way that the Board and the Council work is a classic example of effective and productive federal/state working relations. I believe that that is true, and since our establishment in 1973 the Queensland Government has done as much as any government in Australia to make the co-operative system in criminology work as well as it does.

With those few words of welcome it is now my great pleasure to invite you Mr Attorney to deliver your opening address to this seminar.

OPENING ADDRESS

The Honourable N.J. Harper M.L.A.
Minister for Justice and Attorney-General
Queensland

It is with pleasure that I welcome you to Queensland for this important seminar on one of the major problems facing society today, that of burglary.

An examination of the subjects to be discussed at this seminar and of the list of speakers who are to address you leads to the conclusion that gathered here is an enormous amount of experience in the whole process of criminal justice. Through the application of experience, knowledge and understanding of social problems, solutions may be found. That is the purpose of seminars such as this one today.

Our criminal justice system developed from a natural desire to provide protection to both the individual safety of a person and to his or her property. Just as the law has created a range of offences in relation to the protection of a person's physical safety, ranging from common assault to murder, so a range of offences has been created to protect individuals from damage to their property or deprivation of it. Within that framework of the law which protects the rights of individuals to security of their property, there have evolved laws specifically directed towards the protection of their most important possession: their home.

The desire of society to give the greatest possible protection to a person's dwelling house is reflected by the extent of punishment which may be imposed on a person who violates the privacy and security of that house. Under section 419 of the Queensland Criminal Code, housebreaking without any aggravating circumstances may be punished by imprisonment with hard labour for 14 years. Under the Queensland code, the term 'burglary' applies to housebreaking committed at night, that is to say, between 9 o'clock in the evening and 6 o'clock in the morning. For that offence, an offender is liable to be punished by imprisonment with hard labour for life.

The seriousness with which the community regards burglary is reflected by these potential sentences. It is a fundamental desire of society and its instruments to protect the security and well-being of persons in their dwelling house: their 'castle'.

However, it is a sad fact that we have always had a class of professional criminals who make their livelihood by practising housebreaking, namely, crime against the home of another. To this class of professional criminal there has been added over recent years another class of persons: those who commit burglary in order to feed drug habits.

Burglary imposes an enormous social and financial cost on the community. While it can be argued that insurance does provide some degree of protection to the home owner, the increase in premiums for insurance cover merely spreads the cost of the activities of burglars throughout the community. Apart from the financial loss, there is an equally important cost. This is the psychological and emotional upset suffered by the victim of housebreaking. To find your home ransacked and your most intimate and private possessions either strewn across the house or missing, creates in most people a feeling of outrage, frustration, and exposure which often has long lasting effects on health and mental attitudes. Often the damage, emotional and psychological, is never repaired.

I am interested to see that the program for the seminar includes a paper by a distinguished visitor from overseas on the victims of burglary.

Unfortunately the problem of housebreaking and burglary appears to be increasing rather than decreasing. In Queensland, for example, between 1981-82 and 1983-84, the number of appearances in the District and Supreme Courts of Queensland for burglary and housebreaking offences increased by 131 per cent, whilst the number of charges in these courts increased by only 43 per cent. In the same period, the number of convictions in the superior courts increased by 29 per cent.

The solution to the problem of housebreaking and burglary does not lie wholly in the field of criminal justice. It is a problem to which many participants have a contribution to make in endeavouring to find the ultimate solution. I am confident that you will assist in providing for governments new thoughts towards the solution of this ever growing problem.

I have great pleasure in formally declaring this seminar open.

NATURE AND EXTENT OF BURGLARY

IN AUSTRALIA

Satyanshu K. Mukherjee
Australian Institute of Criminology
Canberra

A homicide is justifiable ...

When committed by a person lawfully inside a dwelling against a person who is attempting to make an unlawful entry into the dwelling or who has made an unlawful entry into the dwelling and the person committing the homicide reasonably believes that the use of deadly force is necessary to prevent the entry or to compel the intruder to leave the premises. The homicide shall be justifiable even though the person committing the homicide does not retreat from the encounter. (Legislation of Louisiana, 1983).

Such is the level of seriousness with which legislatures and administrators view the offence of burglary. This is not surprising, at least when one looks at the statistics for the past several years. Of the seven most serious offences, viz., homicide, rape, robbery, serious assault, arson, automobile theft, and burglary (break, enter and steal), the incidence of the last one has been increasing at the fastest rate since the post Second World War economic development began. Analysis based on the United States National Crime Survey data indicates that annually approximately three in ten households have been touched by a crime of violence (rape, robbery, assault) or theft (larceny, burglary, motor vehicle theft). In 1982, about 25 million households in the United States were touched by serious crimes, about six million of these were the targets of burglary (United States Department of Justice, 1983a).

There now exists a reasonable amount of literature on the characteristics of the offence, the offender, the victim and the various situational targets of burglary. Since the late 1960s research studies on various aspects of burglary have been carried out in the United States, Canada, the United Kingdom, the Netherlands and a few other countries. Also, large scale surveys on the level and nature of victimisation, which began in the United States in the 1960s and have been carried out since in several countries including Australia, provide interesting insights into various offences. While research and surveys

continue to produce valuable insights into the nature and extent of criminality, the relentless rise in the number of reported incidents of burglary continues unabated.

There are three primary sources of statistical evidence - official statistics produced mainly by the police, studies using self-report measures (hidden delinquency studies), and surveys of the extent and level of victimisation - in which the offence of burglary retains a prominent place. Also, during the last two decades a number of specific research studies have examined various aspects of the offence of burglary. With the help of these statistical and research evidence, it is possible to examine the issue of rising incidents of burglaries in a comparative perspective, discuss gaps in the knowledge, and describe the present study.

EVIDENCE BASED ON OFFICIAL STATISTICS

Offences reported to and recorded by the police constitute the main source on which the claims of increasing numbers of burglaries are based. At least from this source such claims cannot be disputed. Consider the data in Figure 1. In Australia, the reported rate of burglary per 100,000 population reached record levels in 1982-83, this was more than four times the rate in 1964-65. Even the occasional changes in counting rules could not dampen the growth in reported burglaries. Thus, within the last 17 years reported rates of burglary jumped from 371 to 1,700 per 100,000 population.

The gravity of the situation can be presented in another way. When examined in relation to other serious offences, that is, homicide, serious assault, robbery, rape, and motor vehicle theft, it emerges that the reported rate of burglary has not only been much higher than the combined rate of all the above offences, it is also increasing at a much faster rate. Even the numerically large category of reported rate of motor vehicle theft does not show such movements. At the beginning of the Selected Crime Series (1964-65) for each reported incident of 'other' offences there were 1.6 reported number of burglaries; in 1982-83 this ratio jumped to 1:2.5. In other words, families, households, shops, and other establishments are likely to be victims of burglary more often than those of other serious offences. But incidents of burglaries are much less likely to be reported than those of homicide and motor vehicle theft (these shall be dealt with in the following section). Australia is quite concerned with the increase in violent offences. A careful scrutiny of the data though reveals that relative to the offence of burglary, increases in homicide, serious assault, rape, and robbery were small. In 1964-65 the combined reported rate of these offences constituted 7.4 per cent that of burglary; in 1982-83 this proportion declined to 6.3 per cent.

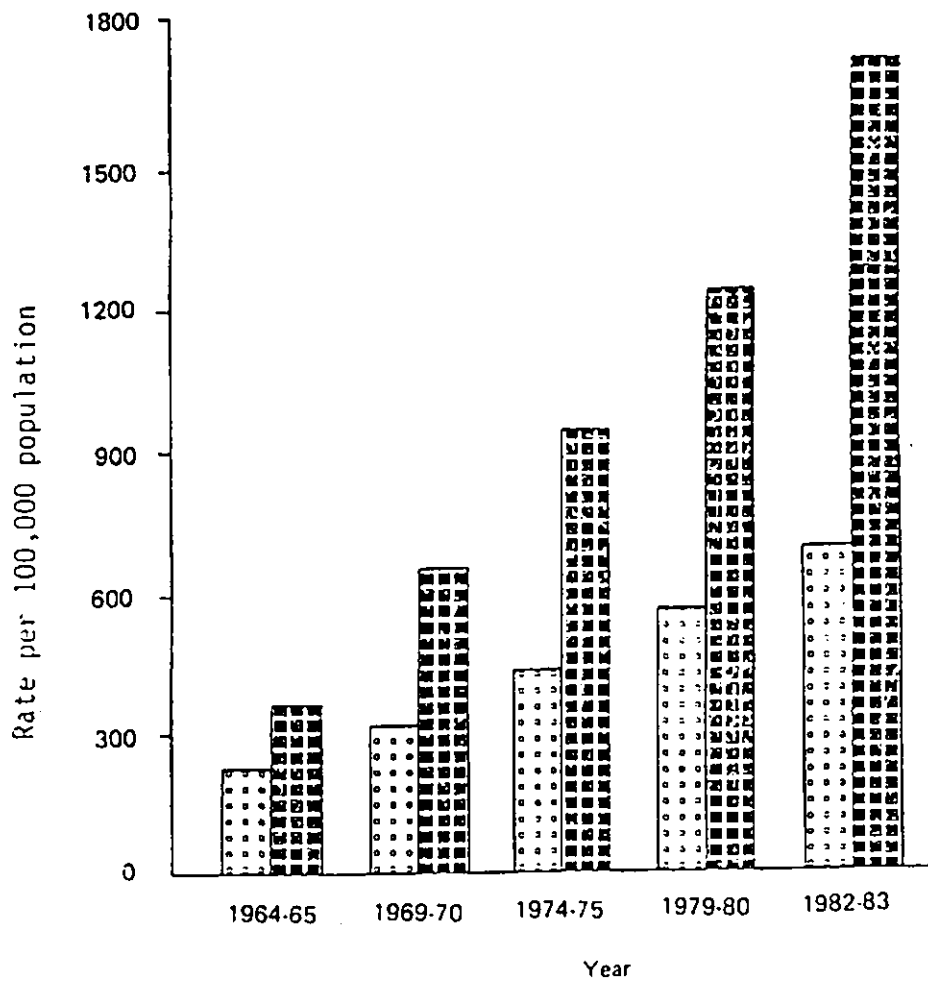
The offence of burglary is primarily against a place and property. Burglary occurs in all sorts of premises and the attraction of a particular building depends upon the perceived presence of valuables inside it. Therefore, the ultimate selection of a target may depend on the changing nature of valuables and also on the changing structural designs of buildings, among other factors. Detailed analysis of these will be presented later but a brief description of the trend in premises broken into seems in order. Figure 2 demonstrates this trend by dwellings, shops, and other premises (including schools, offices, hotels, warehouses, stores, factories, etc.). It is apparent from the data that private dwellings, which represented the single most frequent targets of burglary (two out of five), have gradually become much more vulnerable in recent years; about 58 per cent of burglaries involve breaking and entering private dwellings. Although a 17 percentage point increase in the burglary rate of private dwellings between 1964-65 and 1982-83 may not seem very high, it is significant when measured in terms of the number of private dwellings. In 1964-65 on an average every 206th private dwelling in Australia was the target of burglary; during the following 17 years a dramatic shift brought this ratio to every 40th private dwelling.

Figure 2 also reveals another interesting trend and that is that while burglaries of households were increasing there was a concomitant decline in shop burglaries. Thus, shop burglaries which constituted over one-third of all burglaries in 1964-65 were reduced to about one-seventh in 1982-83. It is probably an undisputed fact that the growth in the quantity and variety of consumer goods since the early 1960s has been unparalleled. These became easily accessible not only because relative to earnings the prices of these goods were low but also because personal loans from banks, stores, and other financial institutions were easily obtained. At the same time commercial establishments increased their security by utilising the services of private security agencies. It would seem that for most would-be burglars the risks in breaking into shops exceeded that of the benefits. On the other hand, the availability of these goods in a large number of households, the changing structural designs of private dwellings, and the impersonal lifestyle particularly in urban centres, made dwellings a relatively easy target of burglary.

The dramatic rise in burglaries is not a peculiarly Australian characteristic. In fact, increases of even greater magnitudes than in Australia are often the norm in other industrialised countries. In each of the countries listed in Table 1, the trends in the reported rates of burglary are similar to that observed for Australia. It is remarkable that in all these countries, like in Australia, the increases in reported rates of burglary were sharp and monotonic; in the entire table only two deviations occur: rates for 1982 in Canada and the United States. In each of the five countries reported rates of burglary have been higher than those in Australia. But the issue here is not which country

Figure 1

NUMBER OF BREAK, ENTER AND STEAL OFFENCES AND OTHER* SERIOUS OFFENCES
REPORTED TO POLICE PER 100,000 POPULATION
AUSTRALIA, 1964-65 to 1982-83



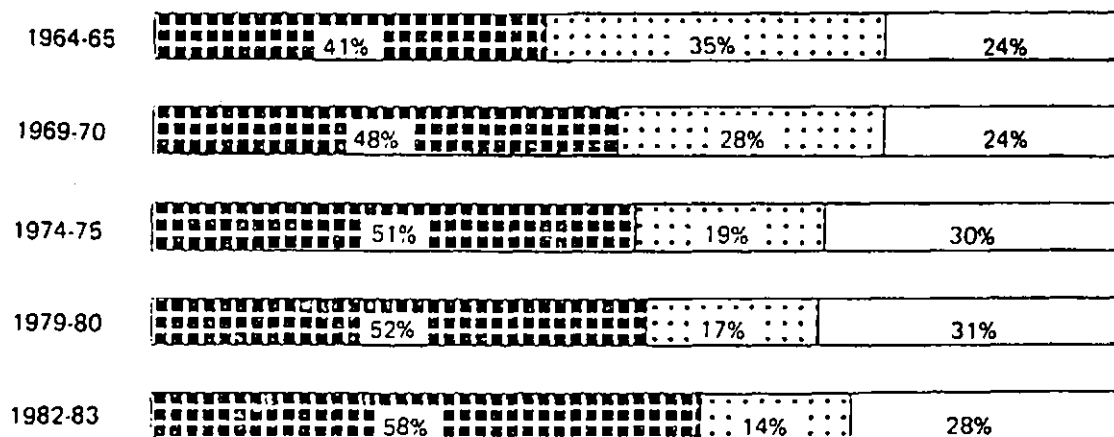
KEY:

⋯ Other offences

▣ Break, enter & steal offences

* Other offences denote homicide, rape, serious assault, robbery and motor vehicle theft combined.

Figure 2
 BREAK, ENTER AND STEAL (BURGLARY) REPORTED TO POLICE
 BY TYPE OF PREMISES (PROPORTION)
 AUSTRALIA, 1964-65 to 1982-83



KEY:

	Dwellings
	Shops
	Other

Source: Australian Bureau of Statistics, *Year Book of Australia*,
 Annual Reports of the Police Departments of New South Wales, Victoria, Queensland, Western Australia, South
 Australia, Tasmania and Northern Territory and of the Australian Federal Police.

has the worst burglary rate but why the trends in all the six countries are similar. It cannot be said that burglary is a characteristic of industrial societies, evidence from other societies has not been considered. But if Australia, Canada, New Zealand, the United Kingdom, the United States and West Germany represent the western industrialised democracies then a reference point is established. This group of countries has amongst them a super power, some middle range powers, and in global terms, a few small powers, both in terms of military might and industrial growth. Their economic systems, political organisations and social structures appear as similar and compatible as could be found in any group of countries next perhaps to the Scandinavian countries. These countries are also labelled as 'consumer societies', 'affluent societies', 'capitalist societies', etc.

Table 1 Number of Burglaries Reported to the Police per 100,000 Population in Selected Countries, 1964-1982

Year	Canada	New Zealand	United Kingdom	United States	West Germany
1964		434.4	480.6	634.7	514.0
1969		680.4	864.4	984.1	769.3
1974	1039.6	952.6	993.9	1437.7	1581.0
1979	1252.3	1560.7	1116.7	1499.1	1915.8
1981	1518.2	1855.3	1465.0	1632.1	2299.3
1982	1501.5	2114.3	1653.9	1475.2	2512.7

Burglary of private dwellings and shops in Canada, New Zealand, the United Kingdom, the United States and West Germany also shows trends similar to that obtained in Australia. The incidence of burglary was also found to be numerically more frequent than that of homicide, rape, robbery, serious assault, and motor vehicle theft combined. Burglary is a crime against place and property, it is a crime which depends upon the opportunity structure, and structure, and which involved valuable consumer goods. From this perspective the similarities in trends of reported rates of burglary in the six countries seem logical.

EVIDENCE BASED ON SURVEYS

Such surveys are of two types: firstly, surveys and studies of self-reported delinquency, and secondly, surveys on the nature and extent of victimisation.

Since the 1930s a number of studies of self-reported delinquency began providing data which supported the earlier impressionistic view that official crime statistics did not reflect the true nature and extent of crime in a society. The main goal of self-report studies was to obtain accurate data on the distribution of delinquency. The various methods used to obtain such information were mailed questionnaires, questionnaires administered to a group of youngsters, for example, school children, personal interviews, etc. Through such methods it was possible to gather a variety of other information which is not usually found in official statistics. It is inappropriate here to summarise the numerous self-report studies, mainly because most of these do not provide details on specific forms of crimes (Christie, et al., 1965; Elmhorn, 1965; Empey and Erikson, 1966; Gibson, 1967; Gold, 1966 and 1970; Institute for Juvenile Research, 1972; Murphy, et al., 1946; Short and Nye, 1958). However, a summary of the most frequently reported results of such studies and the major methodological limitations seem in order.

The results of these studies can be summarised:

- (a) most surveys found that a large number of respondents admitted to having committed delinquent acts for which they were never apprehended, this number was often well in excess of the contemporary impressionistic estimates of criminality;
- (b) some of the delinquent acts so admitted were such that if apprehended, offenders could have been placed under custodial treatment;
- (c) fewer girls than boys admitted to having committed delinquent acts for which they were not arrested, but this sex difference was much smaller than obtained in official arrest statistics;
- (d) respondents from higher socioeconomic classes, measured in terms of father's occupation or parental education, appeared to be as prone to delinquency as those from lower classes; and
- (e) there appeared little difference in delinquency involvement by size of city.

In the 1970s and the 1980s surveys on the nature and extent of criminal victimisation, which gathered data from very large probability samples of the general population, have virtually replaced the surveys on self-reported delinquency. Basically, the aims of victimisation surveys are no different from the surveys of hidden delinquency. It is the methodology, especially sampling, and the scope which make victim surveys extremely valuable. Since the first survey of criminal victimisation conducted on such a large scale, and carried out in the United

States in the late 1960s (Ennis, 1967), several countries - Australia, Canada, Denmark, Japan, the Netherlands, the United Kingdom and West Germany - have also conducted such surveys, often on a regular basis and in the United States, the National Crime Survey has been carried out regularly since 1973. Books, journal articles, and reports containing descriptions, critiques, and analyses of such journals abound. Again, this is not an appropriate place to describe all the surveys carried out so far. However, a summary of results of major surveys are in order.

The results of these surveys can also be summarised. The first large scale survey of criminal victimisation, carried out in the United States in 1967, provided some striking findings. Like self-report studies, but based on a national sample of 10,000 American households, this survey indicated that the incidence of crime is much more than ever reported to official agencies. Comparing the findings of this survey with official statistics reveals that the offence of rape was fourtimes as frequent as reported in police statistics, and aggravated assaults and larcenies over \$50 occurred twice as frequently as they were reported. And finally, household burglary was found to be more than three times as frequent as reported to police, 949 as against 297 per 100,000 population (Ennis, 1967, p. 8).

Since 1973, national crime surveys have been carried out in the United States on an annual basis. During the last 10 years these surveys have consistently shown results similar to those found in the 1967 survey. With regard to burglary of households, although the survey rates are much higher than those reported to the police, the 1982 national crime survey shows a significant drop in rates. According to this survey more than 78 burglaries per 1,000 households occurred in 1982 as compared to 88 in 1981 (United States Department of Justice, 1983b).

Although the general household surveys of 1972, 1973, 1979, and 1980 in Britain incorporated a question on household burglary, no systematic survey of criminal victimisation was carried out before 1982. The results of the general household survey and the 1982 British crime survey are not strictly comparable for various reasons (Hough and Mayhew, 1983, pp. 50-1). Like the national crime surveys in the United States, the British crime survey also found that there is far more crime than is reported to official agencies. In general terms the British crime survey

indicated twice as many burglaries as were recorded by the police; nearly five times as much wounding; twelve times as much theft from the person; and thirteen times as much vandalism (or criminal damage). Taking crimes of violence together (sexual offences, robbery and wounding), there were on the

basis of survey estimates five times as many incidents as were recorded; for incidents involving loss of or damage to property the figure was four times. The overall ratio for incidents which had been compared was one in four (Hough and Mayhew, 1983, p. 10).

In Australia, the second crime victims survey was carried out in 1983, the preliminary results of which were released in December 1984. As in the United States and Britain, estimated crime rates from the victim surveys in Australia cannot strictly be compared with rates of crimes reported to the police. The Australian victim survey covers persons 15 years of age and over. In general terms the findings of the 1983 survey were no different from those in other countries.

The above description clearly indicates that during the last two decades private dwellings have increasingly become targets of burglary. This means that burglary directly affects a large segment of the Australian population. Although predominantly an offence against property this must create enormous fear among the members of the community. Data presented in Figure 2 are important as indicators of general trends of burglary. However, if these were to serve some purpose in determining responses to such violations then data of a more disaggregate type would be necessary. Therefore, in order to deal with this current phenomenon it is essential to know whether the increases in household burglaries have been uniform across the country or are localised. Are certain types of neighbourhoods more likely than others to be targets of burglary? And then the all important question is the characteristics of offenders. In this section an attempt will be made to address these issues.

In 1983-84, this author, as part of the Institute's research project on Youth and Crime, began collecting data on the characteristics of break, enter and steal offences in the Sydney metropolitan area. A detailed report is still under preparation and for the purposes of this seminar only some of the important findings will be highlighted. Examples of information collected are:

Offence: date, day, time, and place of occurrence, types of premises broken into, method of entry and equipments used to make entry, types and value of property stolen, number of suspects, etc.,

Offenders: age, sex, place of birth, occupation, last address, etc.

Data on victims relate to type of premises broken into.

Sydney metropolitan area is divided into the following 10 police districts:

<u>District</u>	<u>Areas covered/Divisions</u>
A CASTLEREAGH	Central, Redfern, Darlinghurst George Street North
B GOSFORD	Gosford, Wyong
C MAROUBRA	Waverly, Maroubra
D CHATSWOOD	North Sydney, Dee Why, Mona Vale
E HORNSBY	Hornsby, Eastwood, Chatswood
F ENFIELD	Newtown, Balmain, Burwood, Petersham, Campsie
G BANKSTOWN	Kogarah, Bankstown, Sutherland, Hurstville
H PARRAMATTA	Parramatta, Merrylands, Flemington, Castle Hill
I LIVERPOOL	Liverpool, Fairfield, Campbelltown
J PENRITH	Penrith, Blacktown, Katoomba

The areas covered by each of the police districts do not match exactly with one or a group of local government areas (LGAs) but in over 80 per cent of the cases they are extremely close. Attempts, therefore, had to be made to bring these two sets of geographic units as close as possible so that the census data of the LGA could be used for analysis. The break, enter and steal data relate to 1981. This year was chosen for two reasons:

- (i) 1981 was a census year and detailed demographic and economic data were available; and
- (ii) when data collection for break, enter and steal began. The crime statistics for 1982 were not tabled in the New South Wales Parliament and hence could not be obtained.

SELECTED FINDINGS

Table 2 presents basic data on break, enter and steal offences in the Sydney metropolitan area in 1981 by police districts, and some points are worth highlighting. District A, which is also known as the central district, has the highest rate of reported number of break, enter and steal offences, the highest rate of

these offences in private dwellings (90 per 1,000 private dwellings), and the lowest clearance rate of 4.7 per cent. Districts C and F are similar on these three counts, but district C shows the highest average amount of loss per offence, \$1,230. The four districts with low overall rates as well as low rates per unit of private dwellings and high clearance rates are districts B, D, E, and J. Police district J shows the lowest average amount of loss per offence.

It is common knowledge that areas within a city may be similar on some characteristics and different on others. If these can be identified the differences in crime rates could be explained in relation to these characteristics. It is difficult to compile a list of characteristics which might have relevance to the explanation of criminality, details of which are available. In Table 3 details on population density, proportion of adolescents and young adults in the population, unemployment rate, and median income of households for each of the police districts have been shown. The data reveal some interesting findings. District A, for example, has a high density of population, has a very high proportion of 20-24 year olds in the population, has the highest unemployment rate (twice that of the entire Sydney metropolitan area), and has the lowest median income per household. It is worthwhile remembering that this district also has the highest rate of all break, enter and steal offences as well as the break, enter and steal offences in dwellings, and the lowest clearance rate. It is extremely tempting to suggest, what is already common knowledge, that the high rate of these offences could be explained by the high proportion of young adults and the high unemployment rate in this police district. This district appears to present other pathogenic characteristics as high density and low income.

District C also has a high density of population and a high population of 20-24 year olds but has an average unemployment rate and a high median income per household. The overall burglary rate is second only to district A and the clearance rate is two-thirds that of the entire metropolitan area. Perhaps it can be said that only one non-criminal factor, for example, proportion of 20-24 year olds, is similar to that of district A.

An interesting scenario emerges when the characteristics of district B are examined. It is an area with the second lowest density of population, the lowest proportion of both 15-19 and 20-24 year olds, the second highest unemployment rate, and the lowest median income per household. It also has the lowest break, enter and steal offence rate, the lowest housebreaking rate, and the highest clearance rate. What these indicate is that although the district is poor it is perhaps the low proportion of adolescents and young adults which keeps the crime rate low.

Table 2 Break, Enter and Steal by Police District in the Sydney Metropolitan Area

Characteristic	A	B	C	D	E	F	G	H	I	J	Total
Number of all break, enter & steal offences reported	4855	2041	8332	4762	5654	12226	7984	7441	7757	4805	65887
Rate per 100,000 population	5913.2	1249.7	3154.4	1674.2	1431.9	3114.4	1711.1	1799.9	2211.7	1389.8	2086.1
Number of break, enter & steal offences of private dwellings	2845	1189	4853	2773	3293	7120	4650	4334	4518	2798	38373
Rate per 1,000 private dwellings	90	21	48	26	25	52	31	34	46	28	37
Number of offences cleared	228	303	549	535	672	793	757	586	922	647	5992
Percentage cleared	4.7	14.8	6.6	11.2	11.9	6.5	9.5	7.9	11.9	13.5	9.1
Value of property stolen/damaged (\$m)	4.84	1.64	10.25	3.18	4.77	9.15	6.07	4.79	5.48	2.64	52.81
Average loss per offence (\$)	990.79	803.53	1230.20	667.79	843.65	748.40	760.27	643.73	706.46	549.43	801.50

Table 3 Demographic Characteristics of Police Districts in the Sydney Metropolitan Area

Characteristic	A	B	C	D	E	F	G	H	I	J	Total
Total population	82612	163319	264139	284433	394850	392557	466601	413404	350723	345736	3158374
Density per km ²	3426	98	3411	1055	632	4033	993	126	104	64	264
Proportion aged 15-19 years	7.0	6.5	7.4	7.5	9.0	7.5	8.5	8.7	9.5	8.8	8.3
Proportion aged 20-24 years	11.4	6.2	10.7	8.7	8.2	9.2	8.1	8.0	9.2	8.0	7.7
Number of private dwellings	31748	56854	101423	106477	129571	138091	150311	125761	98659	98720	1037615
Unemployment rate	9.9	7.5	5.3	3.3	2.6	6.0	3.5	4.3	6.8	6.1	4.9
Median income per household (\$'000)	10-12	10-12	18-22	18-22	18-22	12-15	18-22	15-18	15-18	15-18	15-18
Percentage household income \$22,001 +	20.4	19.3	34.8	40.9	47.8	28.2	37.5	37.2	33.0	32.6	35.2

District F is another interesting area. It has the high density of population, a higher than average proportion of 20-24 year olds in the population, a higher than average unemployment rate, and the second lowest median income. The crime characteristics are similar to that in district C.

The most well to do police district is E. It has a relatively low density of population, a slightly higher than average proportion of 15-19 and 20-24 year olds in the population, the lowest unemployment rate (about half that of the entire metropolitan area), and approximately 48 per cent of the households have an income of over \$22,000. It has the third lowest total break and enter rate, the second lowest house breaking rate, and the third highest clearance rate. Thus, it is difficult to make any categorical statement as to why some areas have high and others have low incidents of break, enter and steal offences.

A few details can be noted about these offences cleared by arrest. Table 4 shows offences for which at least one alleged offender was arrested by type of premises broken into. It is clear that private dwellings are the prime targets of breakings, followed by shops and business premises. Table 5 presents data on the method of entry. In over 92 per cent of incidents illegal entry was made through doors or windows. Of the house breakings, in 25 per cent of the incidents entry was made through closed but unlocked doors or windows. The most sophisticated instrument used to make entry was a jemmy, or a screwdriver; use of keys or plastic cards was found to be common. These facts appear to indicate that a large majority of dwellings do not have proper locking devices.

And finally data in Table 6 show that in over 22 per cent of all break, enter and steal offences cleared by arrest, the value of property stolen was either nil or under \$10. Incidents in which some property was stolen, 25 per cent involved less than \$100, 30 per cent involved \$100 to under \$500, and in over 4 per cent of the offences, the value of property stolen was \$5,000 or more.

So far a few selected characteristics of 2,794 offences of break, enter and steal in the Sydney metropolitan area in 1981 have been described as well as certain demographic and economic characteristics of the 10 police districts. In this section few offender characteristics will be described. It is interesting to note that the 2,794 offences were cleared by 4,266 arrests involving only 2,176 distinct offenders. Table 7 shows the age and sex distribution of offenders. The data confirm the current belief that juveniles are over represented in arrests for burglary. Exactly 50 per cent of offenders in the study were under the age of 18 years and the 14 year olds constituted the largest group: over 10 per cent of the total. The youngest offender was an 8 year old and the oldest a 79 year old. Females constituted slightly over 8 per cent of the offenders.

Table 4 Number of Offences by Type of Premises

Type of Premises	TOTAL		SAMPLE	
	No.	%	No.	%
Business	208	7.44	20	7.17
Factory/Warehouse/Store	151	5.40	13	4.66
Government/Semi Government (excluding Schools etc.)	38	1.36	4	1.43
Schools/Colleges/Universities	166	5.94	13	4.66
Living (excl. Private Dwellings/ Home Units/Flats	31	1.11	-	-
Private Dwellings	1355	48.50	130	46.59
Home Units/Flats	272	9.74	33	11.83
Shops	476	17.04	58	20.79
Recreation/Transport/Other	97	3.47	8	2.87
Total	2794	100.00	279	100.00

Table 5 Number of Offences by Method of Entry

Method of Entry	TOTAL		SAMPLE	
	No.	%	No.	%
Door	1131	40.48	114	40.86
Window	1444	51.68	138	49.46
Roof/Wall	114	4.08	16	5.74
All Other	105	3.76	11	3.94
Total	2794	100.00	279	100.00

Table 6 Number of Offences by Value of Property Stolen

Value (\$)	TOTAL		SAMPLE	
	No.	%	No.	%
Nil	486	17.40	41	14.69
<10	133	4.76	16	5.73
10-49	254	9.09	15	5.38
50-99	188	6.73	13	4.66
100-499	707	25.30	65	23.30
500-999	434	15.53	57	20.43
1000-4999	494	17.68	59	21.15
5000-9999	59	2.11	8	2.87
10000-19999	29	1.04	5	1.79
20000+	10	0.36	-	-
Total	2794	100.00	279	100.00

Table 7 Number of Distinct Offenders by Age and Sex

AGE	MALE	FEMALE	TOTAL	CUMULATIVE FREQUENCY (%)
Under 13	135	9	145	6.7
13	130	9	139	13.1
14	209	23	232	23.7
15	192	14	206	33.2
16	183	12	195	42.1
17	155	15	170	50.0
18	157	15	172	57.9
19	111	18	129	63.8
20	94	6	100	68.4
21	83	7	90	72.5
22	69	11	80	76.2
23	64	7	71	79.5
24	62	13	75	82.9
25-29	150	13	163	90.4
30-34	91	8	99	94.9
35+	107	3	110	110.0
TOTAL	1993	183	2176	

Table 8 Number of Offences Cleared by Arrest by Number of Offenders

No. of offenders per offence	TOTAL				SAMPLE			
	Offences		Offenders		Offences		Offenders	
	No.	%	No.	%	No.	%	No.	%
1	1752	62.71	1752	41.07	169	60.57	169	38.94
2	749	26.81	1498	35.12	81	29.03	162	37.33
3	196	7.01	588	13.78	18	6.45	54	12.44
4	71	2.54	284	6.66	7	2.51	28	6.45
5	17	0.61	85	1.99	3	1.08	15	3.46
6	5	0.18	30	0.70	1	0.36	6	1.38
7	3	0.11	21	0.49	-	-	-	-
8	1	0.03	8	0.19	-	-	-	-
Total	2794	100.00	4266	100.00	279	100.00	434	100.00

Table 9 Offences by Age and Number of Offenders in Each Offence

No. of Offenders in each Offence	Adults Only			Adults & Children			Children Only			Total		
	No.	down	across	No.	down	across	No.	down	across	No.	down	across
1	1348	78.69	76.94	-	-	-	404	43.53	23.06	1752	62.71	100.00
2	319	18.62	42.59	90	58.82	12.02	340	36.64	45.39	749	26.81	100.00
3	42	2.45	21.43	36	23.53	18.37	118	12.72	60.20	196	7.01	100.00
4	2	0.12	2.82	21	13.73	29.58	48	5.17	67.60	71	2.54	100.00
5 & over*	2	0.12	7.69	6	3.92	23.08	18	1.94	69.23	26	0.93	100.00
Total	1713	100.00	61.31	153	100.00	5.48	928	100.00	33.21	2794	100.00	100.00

* Adults Only - 1 x 5 and 1 x 6 (11); Adults & Children - 5 x 5 and 1 x 6 (31); Children Only - 11 x 5, 3 x 6, 3 x 7 and 1 x 8 (102).

Table 10 Police Districts in Sydney Metropolitan Area by Type of Premises Broken Into and Age of Offender

Type of Premises/Age	A	B	C	D	E	F	G	H	I	J	TOTAL
Private Dwellings											
Adult	37	27	160	115	175	170	92	116	252	57	1201
Juvenile	10	39	12	43	28	72	44	43	48	69	408
Shops											
Adult	23	17	24	33	26	54	27	20	34	27	285
Juvenile	7	26	4	11	8	13	38	11	27	35	180
Schools											
Adult	3	1	1	2	1	3	2	5	2	2	22
Juvenile	2	9	3	3	17	12	16	7	25	44	138
Other											
Adult	38	17	31	31	20	49	46	32	30	39	333
Juvenile	11	24	6	11	6	21	27	24	24	26	182
TOTAL											
Adult	101	62	216	181	222	276	167	173	318	125	1841
Juvenile	30	98	25	68	59	118	127	85	124	174	908
% Juvenile	22.9	<u>61.2</u>	10.4	27.3	21.0	29.9	43.2	33.3	28.0	<u>58.2</u>	33.0

Among other characteristics, 78 or 3.6 per cent of all distinct offenders were members of Aboriginal communities; approximately 1 in 3 offenders were full time students, over 37 per cent unemployed, and a little over 21 per cent gave their occupation as unskilled/semi-skilled labourers.

The police department's classification of employment data is confusing. The classification which enables one to extract information on unemployment relates to occupation. It is likely that quite a few offenders might have given an occupation at the time of arrest but might in reality have been unemployed.

Offenders with multiple arrests were found to be substantial in number. Two-thirds of the offenders were arrested only once each during 1981; 390 or 18 per cent were arrested twice each; and about 10 per cent were arrested 3-4 times each. One hundred and thirty one offenders (6 per cent) were responsible for 1,305 arrests (31 per cent of all arrests). And finally, 10 offenders constituting only 0.5 per cent of all offenders were involved in 419 or 10 per cent of all arrests. A 22 year old man was arrested 94 times, and 4 other 22 year olds were arrested 45, 48, 55 and 56 times respectively. Another set of statistics can also be offered. In 1981 the clearance rate of break, enter and steal offences in the Sydney metropolitan area was 1 in 11. Therefore, the offender who was arrested 94 times might have committed 1,034 offences.

How is it possible that an individual was arrested so many times during a year? Actually it is not all that complicated. Usually in such instances when an offender is arrested he or she confesses to a few other offences and an arrest disposition is noted against each offence to which the offender confesses. The offender who contributed significantly to the police arrest figures (94 arrests) for break, enter and steal offences, was arrested on only 14 separate occasions. What is mystifying is why the offender could not be held in custody after a few arrests. The case is such that it might have met all the requirements for not granting bail.

Another major area of concern is group involvement in break, enter and steal offences. Table 8 offers information on the number of break, enter and steal offences cleared by the number of offenders arrested. Approximately 63 per cent of the offences were committed by lone offenders and in another 27 per cent of the offences there were two offenders in each. The significance of group involvement becomes most interesting when examined in relation to the age of the offenders. As Table 9 reveals, of all the offences committed by lone offenders 77 per cent were by adults and 23 per cent were by juveniles under the age of 18. As the number of offenders in each offence increases the proportion of juvenile involvement increases. That is, of all the offences committed by 2, 3 and 4 offenders the proportion of pure juvenile groups were 45, 60 and 68 per cent respectively. That juveniles

appear to act in groups is also evident from the data on mixed groups. It must be clarified that whereas juveniles constituted half the offender population and were involved in half the arrests, they participated in only one-third of all the offences cleared by arrest. The important point here is that the high arrest rates of persons under the age of 18 in break, enter and steal offences may not over estimate the delinquency of juveniles, but it most certainly over estimates the risk of being a victim of juvenile property crime. In other words, because juveniles tend to commit serious property offences in groups, the official arrest rates for juveniles need not necessarily be an exaggeration. But because several juveniles may be arrested for one offence, and this fact is never disclosed in official statistics, members of the community are likely to feel threatened by the misinformed notion of increasing youth crime.

Table 10 attempts to link police districts, types of premises broken into, and the age of offenders, and some of the special items can be highlighted. It appears that juveniles do not feel safe to operate in congested areas: districts with high density of population have a lower proportion of juvenile arrest. Districts B and J are characterised by low density of population and have the highest proportion of juvenile arrests. School break-ins appear to be juvenile dominated. But the most important point this table makes is that the areas with a high proportion of juvenile arrests also have a higher clearance rate (see Table 2). From the present study and from other works it is reasonable to speculate that a much higher proportion of offences committed by juveniles than those committed by adults may be cleared by arrest. One could go even a step further and say that if the clearance rate falls official attention may be diverted to juveniles to boost this rate.

CONCLUSION

It has been extremely difficult to select some items of information for this paper and ignore others. The selection has been arbitrary, and for this reason this paper will not be summarised but two warnings can be issued.

Firstly, the way the idea of community watch is being incorporated in efforts to significantly lower the break, enter and steal offence rate, is not entirely a sound one, and it appears that expectations from this program have become too great. Examples of innovative experiments in preventing crime and treating offenders abound in criminological literature, but most of these experiments were successful only in specific areas and in the context of short-term outcome.

Secondly, there is a tendency on the part of official agencies to speculate on the causes of increase in break, enter and steal offences. Two such causes are drug addiction and unemployment. Research studies on the former are still rare and therefore most of the speculations are based on personal opinions rather than hard evidence. This paper presents some information on the second but these are not conclusive enough to allow one to make categorical statements.

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BREAK AND ENTER OFFENDERS IN
SOUTH AUSTRALIA

I. Crettenden
Project Officer
Office of Crime Statistics
South Australia

INTRODUCTION

This paper, presents preliminary results of a study conducted by the South Australian Office of Crime Statistics of approximately 1,000 break and enter offenders apprehended during 1983. The primary aim of the research is to develop profiles of offenders and to compare break and enter figures in South Australia with similar statistics from overseas. In particular, the characteristics of offenders involved in different types of break-in will be analysed, in order to develop a typology of offenders.

During the six years preceding the study there has been a steady increase in the number of break-ins reported or becoming known to South Australian police, from a half yearly average of 7,384 in the years 1976-78 to 13,140 in the last six months of 1983, (the year in which data for the study were collected). Court appearances have also risen from 982 in the last half of 1981 (the earliest period for which data are available) to 1,140 in July to December 1983. More significantly, the percentage of juveniles making up the total number of appearances also rose from approximately 63 per cent in 1981 to 67 per cent in 1983.

Such figures suggest that contrasting juvenile offenders with adults may be an important starting point in developing a typology of offenders. Similarly, since unemployed people comprise approximately 70 per cent of all adults appearing on break and enter charges, they also may form the basis of one or more distinct sub-groups.

Very often, the media use this type of information to form images of stereotypes of 'typical' offenders. For example, a recent article in Adelaide's Sunday Mail characterises the 'average burglar' as:

a petty criminal, probably young, unemployed and
trying to support a drug habit.

The same article describes a burglary committed by this 'typical' offender:

He is not likely to remove your TV or video set neatly and then run off. What he'll probably do is take out his anger, frustration or sheer nastiness on your house and belongings (Sunday Mail, 26 May 1985).

The above represents a popular stereotype of the characteristics of offenders and break-ins. The possibility that it may be distorted, or an exaggeration, is perhaps highlighted by the fact that the particular article appeared as part of advertising supplements for security doors and burglar alarms. Nevertheless, given its pervasiveness it is important to assess the degree to which such a view of break and enters in South Australia is supported by facts. In particular, whether break-ins are all of one type, and whether offenders form a homogeneous group, needs to be examined.

Several studies in the United States of America, England, and Sweden have addressed these issues in relation to residential burglary.* One of the first major and systematic studies was Scarr's 1973 research on patterns of burglary in and around Washington DC. Scarr made a distinction between 'master' or 'professional' burglars and 'casual, amateur' burglars. The major differences between these types were, firstly, the level of commitment they felt towards burglary as a 'profession' and major source of income; secondly, their degree of technical skill and organisation; and thirdly, their motivation.

'Professionals', who comprised very much the minority were described as possessing considerable technical skill in the art of effecting a break-in, and more significantly, a high level of social organisation. This allowed the planning and execution of elaborate burglaries, using teams of 'specialists' recruited for the purpose. This characterisation closely parallels the romanticised image of the burglar as portrayed in films and television.

Scarr's second group, the 'casual, amateur' offenders, more closely fits the newspaper stereotype of the 'typical burglar' presented earlier. These offenders were described as young and inexperienced, and lacking in technical skill or expertise.

* Overseas studies have not distinguished between burglary and break and enter as separate offences. For this reason the terms 'burglary', 'break-in' and 'break and enter' are used interchangeably here referring to any type of break and enter offence.

Break-ins committed by 'casual amateur' burglars were largely unplanned: merely the result of a temporary need for money, combined with an opportunity for an easy break-in. They were more likely to break into the houses of friends and acquaintances near their own residence, and would choose a target on the basis of ease of entry, rather than any assessment of the value of goods to be obtained. Generally, the seriousness of the offence was lower, since the amateur, lacking the skill or 'connections' to 'fence' goods such as furs or jewellery, sought readily disposable items or cash, and so only rarely would find a target yielding a high return.

In contrast to 'professionals', who offended on a systematic basis, the amateur burglar was described as more likely to be motivated by a sudden need or desire for money at irregular intervals, leading to an erratic pattern of break-ins over time. Similarly amateurs, out of ignorance, would take risks which professionals were not prepared to run. For example, Scarr noted that detectives in Washington tended to assume that burglaries committed in the evening, when the risk of discovery is high, had been the work of amateur burglars.

Scarr and most other researchers have seen drug addiction as a primary motivating factor in many 'casual' burglaries. Drug addicts are claimed to comprise the majority of all break and enter offenders, not just in the United States of America but also in England and Scandinavia (Walsh, 1980; Maguire, 1982; Knutson, 1984). Knutson, working in Sweden, also put emphasis on the role of alcohol, both as an item often stolen, and as a means of bolstering courage or reducing inhibitions when actually committing the offence. However, it is hard drugs, particularly heroin, that are seen as a major motivating factor in break and enter offences, a theme which has received particular stress in the Australian media. It is argued that drug addicts must commit a large number of break-ins at very frequent intervals to sustain an expensive habit, and therefore a relatively small number of addict-offenders may account for the majority of break-ins reported. While this explanation may or may not hold for other jurisdictions, its relevance as an explanation for burglary in South Australia has not been proved. Because data on alleged offenders' drug addiction habits are not routinely collected by the South Australian police, the present study cannot address this issue directly, however analysis of offenders' break-in patterns may help to pinpoint some of the motivating factors which may be at work.

One researcher who attempted to test Scarr's fundamental distinction between the 'professional' burglar committing infrequent but more serious offences fairly systematically, and the 'amateur', operating on a casual opportunistic basis is Reppetto (1974). He interviewed a sample of 97 apprehended

burglars in Boston and attempted to compare break-ins committed, by different age, race and 'drug-use' groups according to a number of criteria. He found that the majority of his sample (82 per cent), were what he termed 'semi skilled'; that is, they possessed some minimal skill in effecting a break-in but did not use complex methods such as lock picking. He further found that the majority of 'unskilled' burglars; (27 per cent), were under 18, while the majority of 'skilled' offenders were over 25. Those under 18 were most likely to choose targets because of ease of access, while those over 25 appeared to make an assessment of the affluence of the potential victim.

The majority of 'drug users' in Reppetto's sample were in the 18-25 age group. This group tended to choose more affluent targets and were more likely to be rated as 'skilled' or 'semi-skilled' than 'unskilled'.

Maguire (1982), expressed dissatisfaction with Scarr's simple typology of 'professional' and 'amateur' offenders. He pointed out that the term 'profession' and 'professional' tends to imply that burglary is a kind of business career with a progression from minor, less profitable crime to major burglaries. It also implies rational assessment of profit and loss with a change to a more 'profitable' type of work if this is indicated. However, Maguire's interviews with 40 burglars in England revealed inconsistencies in such a characterisation, and suggested that the term 'professional' was more a term used by burglars themselves as a euphemism or means of self-justification than as an accurate description.

Maguire also found that distinguishing between burglars on the basis of skill was far from straight forward, in that most writers have conflicting views on what categorises a 'skilful' or 'professional' offender. While the majority of offenders Maguire interviewed were committed to burglary as a 'profession', few could be described as 'skilful' in a technical sense. Clearly distinctions must be made between offenders attitudes and motivations and their behaviour.

One attempt to draw such distinctions and develop a more complex typology of break-ins and offender types was by Walsh (1980) who identified at least four major burglary types, the first, 'challenge burglaries', he defined as break-ins where the offender's primary motivation was to attack the occupant or damage the premises, rather than to steal goods. Included in this category were break-ins leading to an assault, rape, or malicious damage to a building. One could also add burglaries where the primary motivation was the act itself, as in those cases where children or adolescents break-in on a 'dare' to achieve peer group respect. Such break-ins were seen by Walsh as fundamentally distinct from 'dispossessive burglaries' when the offender was interested only in obtaining cash or items for sale.

Within this category he also distinguished the 'pillager' who stole indiscriminately, and the 'breaksman' who was more skilled and selective. Walsh did not, however, provide criteria which might help to relate these categories to background variables, such as age or employment status, to help gauge the prevalence of each type of offence.

In the preceding pages, some of the major typologies of burglary have been summarised which have emerged from studies in the United States of America, England and Scandinavia. The task which is now required is to relate these categories to local data, and develop comparative perspectives. To achieve this, demographic information (for example, age, sex, race) on persons apprehended, modus operandi details on degrees of skill involved in offences, and data on amounts stolen or damaged, have been relied upon.

The primary data source is the South Australian Police Department records. This sort of information has both advantages and drawbacks compared to other sources which will be discussed briefly.

The major problem is of course the extent to which police data on persons apprehended represent an adequate cross-section of burglary offences. According to the latest Australian Bureau of Statistics Crime Victimization Survey, 31 per cent of break and enters are never reported to police, and of these approximately 11 per cent are cleared by arrest (South Australian Police Department). This creates the very real possibility that apprehension data may reflect a biased sample of offenders, perhaps the unlucky or incompetent. An attempt will be made to examine this issue in collaboration with the South Australian Police Department Special Project Section, who have independently been collating data on offences reported or being known to police. Before a detailed analysis of offender data is carried out, burglaries in the offender sample will be compared with this larger population. With this comparison it can be measured to what extent the offender sample is representative.

The second major methodological issue is that the majority of studies on which offender typologies have been based have used face-to-face interviews with apprehended burglars as a primary source, whereas this present study has utilised official records only. Reliance on record data means that the wealth of details that emerges from interviews cannot be obtained. Nevertheless, as Maguire has pointed out, an offenders' beliefs and attitudes are not always reflected in their actual behaviour. Moreover, record based research can utilise a much larger sample of offenders.

Table 1 Age and Sex of Offenders in Break and Enter Sample
(Apprehensions in South Australia during 1983)

Sex of Offenders	Age of Offenders							Total	
	Under 14	14-17	18-19	20-24	25-34	35+	Unknown	No.	%
Male	166	406	112	125	68	17	31	925	93.0
Female	21	32	5	7	4	1	-	70	7.0
TOTAL	187	438	117	132	72	18	31	995	
Percentage	18.8	44.0	11.8	13.3	7.2	1.8	3.1		100.0

Table 2 Employment Status of Offenders over 14 years in
Break and Enter Sample
(Apprehensions in South Australia during 1983)

Employment Status	Age of Offenders						Total	
	14-17	18-19	20-24	25-34	35+	Unknown	No.	%
Males								
Employed	27	18	18	8	2	4	77	10.1
Unemployed	213	84	101	47	10	18	473	62.3
Student	153	2	3	2	-	5	165	21.7
Pensioner	-	-	1	6	3	-	10	1.3
Unknown	13	8	2	5	2	4	34	4.5
TOTAL	406	112	125	68	17	31	759	100.0
Females								
Employed	-	-	1	-	-	-	1	2.0
Unemployed	12	4	3	1	-	-	20	40.8
Student	18	-	-	-	-	-	18	36.7
Pensioner	-	1	2	-	-	-	3	6.1
Unknown	2	-	1	3	1	-	7	14.3
TOTAL	32	5	7	4	1	-	49	100.0
TOTAL								
Employed	27	18	19	8	2	4	78	9.7
Unemployed	225	88	104	48	10	18	493	61.0
Student	171	2	3	2	-	5	183	22.6
Pensioner	-	1	3	6	3	-	13	1.6
Unknown	15	8	3	8	3	4	41	5.1
TOTAL	438	117	132	72	18	31	808	100.0

Table 3 Age and Sex of all Offenders in Break and Enter Sample
Apprehensions in South Australia during 1983)

Race of Offenders	Age of Offenders							Total	
	Under 14	14-17	18-19	20-24	25-34	35+	Unknown	No.	%
Caucasian	148	327	86	106	57	15	20	759	76.3
Aboriginal	33	85	21	22	12	2	9	184	18.5
Other	4	23	8	1	2	1	2	41	4.1
Unknown	2	3	2	3	1	-	-	11	1.1
TOTAL	187	438	117	132	72	18	31	995	100.0

Table 4a Estimated Value of Goods Stolen in Break and Enter Sample
(Apprehensions in South Australia during 1983)

Estimated Value of Goods	Total	
	Number	Percentage
\$0	180	18.1
Less than \$100	371	37.3
\$100 to \$500	221	22.2
\$500 to \$1000	63	6.3
\$1000 to \$5000	111	11.2
More than \$5000	22	2.2
Unknown	27	2.7
TOTAL	995	100.0

Table 4b Estimated Property Damage in Break and Enter Sample
(Apprehensions in South Australia during 1983)

Estimated Value of Goods	Total	
	Number	Percentage
\$0	579	58.2
Less than \$100	249	25.0
\$100 to \$500	92	9.2
\$500 to \$1000	11	1.1
\$1000 to \$5000	11	1.1
More than \$5000	6	0.6
Unknown	47	4.7
TOTAL	995	100.0

RESULTS

According to the South Australian Police Department Annual Reports, 2,988 offenders were arrested on break and enter charges during 1983. The 1,000 individuals in this study's sample therefore represent approximately one third of all offenders apprehended in the relevant period. The sample includes cases where a number of offenders were apprehended for the same incident. Altogether, the 1,000 individuals whose records were selected were alleged to have been involved in 849 separate offences. It should also be noted that the reports can contain some approximations, particularly relating to estimates by victims of the value of goods stolen, and the extent of property damage. Only preliminary data relating to offender characteristics and offences are presented here, with attention given mainly to the severity of offences committed by different age groups. A full report on this study will be published later in 1985.

Table 1, then, presents an age and sex breakdown of alleged offenders in the sample. It can be seen that males comprise approximately 93 per cent, while offenders under the age of 17, represent 63 per cent of the total group. Comparing this with police statistics on the total number of offenders, there is a slight under representation of older offenders, particularly those over 35. This discrepancy was not a serious one however. The mean age for males was 17.2 years, while for females the average age was 16.4 years, and offenders under 17 represent 76 per cent of the female sample.

Employment status for alleged break and enter offenders over 14 years is shown in Table 2. Sixty-one per cent of offenders were unemployed at the time of arrest, and only 9.7 per cent had some form of employment. Students comprised 22.6 per cent of those 14 and over, and when the under 14 age group is included, students are seen to represent almost one in three of the entire sample.

Table 3 presents data relating to race. Aboriginal people comprise 18.5 per cent of the sample. When this figure is compared with the proportion of people of Aboriginal background in the South Australian population, which is less than 1 per cent, it is apparent that this group is over represented among apprehended break and enter offenders. However it should be emphasised that the Aboriginal group also tended to be younger, with a mean age of 16.2 years, compared with 17.4 years for other racial groups.

Turning to some basic statistics on the offences committed, Table 4 shows estimated values of stolen goods and estimated property damage. In the majority of cases, goods stolen were valued at less than \$100, with a median value of \$70, and in almost 1 in 5 cases no items were reported stolen at all. A value in excess of

\$1,000 was reported in 13.4 per cent of cases, with the highest estimate being over \$37,000. Similarly, no property damage was reported in 58.2 per cent of offences in the sample, with a further 25 per cent in which damage of less than \$100 was estimated. In only 1.7 per cent of offences was there more than \$1,000 in damage, with the highest estimate put at \$500,000 damage to a school. It seems that for the majority of residential break-ins then, offenders are not likely to 'take-out their frustrations' in the form of property damage, even when very little of value had been found.

Relating these variables to age differences then, Table 5 details the value of goods and property damage in relation to age groups. Examining the median values of goods stolen shows that for those under 14, the median was \$27, for 14-17 year olds this rose to \$53, for 18-19 year olds there was a large increase to \$250, which tapered off to \$220 and \$200 for the 20-24 and 25-34 age groups respectively. In other words, younger age groups, which represent the majority of offenders, were involved in relatively minor break-ins.

Premises most frequently attacked were dwellings (41.2 per cent), followed by shops (30.8 per cent), and schools (10.7 per cent). Table 6 shows the 10 items stolen most frequently. Cash was by far the most popular, accounting for 18.5 per cent, this was followed by consumables, such as confectionary, soft drinks, alcohol and cigarettes, which together comprised 21.5 per cent. Among younger offenders goods such as stationary, confectionary and food stuffs were most frequently taken, while for older groups alcohol, cigarettes, electrical goods, and jewellery were more popular. Cash was the most frequently stolen item in all age groups.

Finally, Table 7 presents the methods used to gain entry to the premises. Over 50 per cent of offenders used force to gain entry, while only 27 per cent had entered through unlocked doors or windows. This finding is in contrast to a South Australian Police Study conducted in 1980, which found that most offenders entered through unsecured doors or windows. Like the earlier study however, it was found that younger offenders were less likely to use force than older age groups, perhaps reflecting a more opportunistic attitude, where ease of access is the primary determinant of target choice.

These then are some of the key findings beginning to emerge from the South Australian Office of Crime Statistics work on break and enter offenders. Considerably more research will be needed before these data can be related to typologies of offenders, before a comparative perspective can be developed, and before the policy implications can be drawn out. Even at this early stage, however a number of things are becoming clear. One is that, contrary to most public opinion and media speculation, the majority of South

Table 5a Estimated Value of Stolen Goods By Age of Offender, in
Break and Enter Sample
(Apprehensions in South Australia during 1983)

Estimated Value of Goods	Age of Offenders							Total	
	Under 14	14-17	18-19	20-24	25-34	35+	Unknown	No.	%
\$0	35	76	21	21	18	5	4	180	18.1
Less than \$100	103	191	26	25	12	4	10	371	37.3
\$100 to \$500	34	95	22	41	18	3	8	221	22.2
\$500 to \$1000	5	27	14	7	4	2	4	63	6.3
\$1000 to \$5000	5	34	24	32	13	2	1	111	11.1
More than \$5000	-	3	6	3	6	1	3	22	2.2
Unknown	5	12	4	3	1	1	1	27	2.7
TOTAL	187	438	117	132	72	18	31	995	100.0

Table 5b Estimated Value of Property Damage by Age of Offender, in
Break and Enter Sample
(Apprehensions in South Australia during 1983)

Estimated Value of Goods	Age of Offenders							Total	
	Under 14	14-17	18-19	20-24	25-34	35+	Unknown	No.	%
\$0	121	260	60	73	40	11	14	579	58.2
Less than \$100	35	112	32	36	20	4	10	249	25.0
\$100 to \$500	15	36	17	12	8	2	2	92	9.2
\$500 to \$1000	4	2	2	2	1	-	-	11	1.1
\$1000 to \$5000	2	3	3	-	1	1	1	11	1.1
More than \$5000	5	1	-	-	-	-	-	6	0.6
Unknown	5	24	3	9	2	-	4	47	4.8
TOTAL	187	438	117	132	72	18	31	995	100.0

Table 6 Ten Most Frequently Stolen Types of Property in Break and Enter Sample (Apprehensions in South Australia during 1983)

Property Type	Percentage
Cash	18.5
Confectionery/Soft drink	8.0
Alcohol	7.0
Cigarettes	6.5
Jewellery	4.8
Other Electrical Items	4.5
Food stuffs	4.5
Other Household Items	2.9
Audio Recorders	2.8
Stationery	2.6
	Sub-Total 62.1%
Other Items	29.9
Unknown/Not Stated	8.0
	TOTAL = 100%

Table 7 Method of Entry in Break and Enter Sample (Apprehensions in South Australia during 1983)

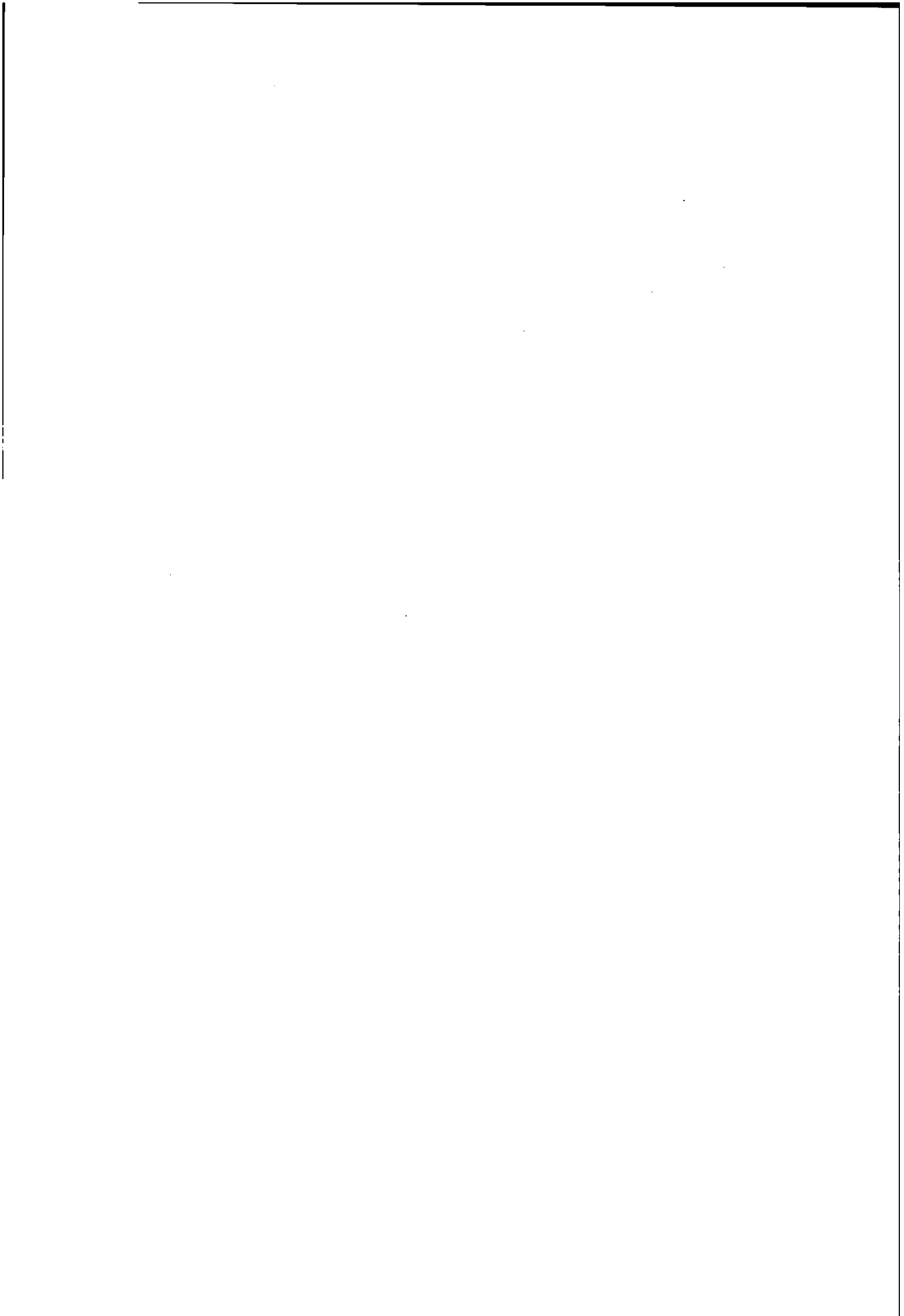
Method of Entry	Number	Sample Percentage
Unlocked Windows/Doors	269	27.0
Forced/Smashed	570	57.3
Key and Miscellaneous	67	6.7
Roof/Wall	21	2.1
Unknown	68	6.8
TOTAL	995	100.0

Australian burglary offenders are not professional, nor do they seem to fit into the stereotype of the desperate addict trying to support a habit. The majority in fact would be classed as 'amateurs' perhaps of a 'pillages' type, that is, mainly juveniles involved in offences which are relatively minor both in terms of the amount stolen and damage inflicted.

A more detailed analysis is now required to further delineate burglar 'types' and establish the prevalence of the various categories in the South Australian data.

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BREAK AND ENTER OFFENCES IN SOUTH AUSTRALIA:

A POLICE PERSPECTIVE

F.A. Richardson
Officer in Charge
Special Projects Section
South Australia Police Department

A. French
Acting Senior Research Officer
Special Projects Section

INTRODUCTION

This seminar provides the opportunity to examine a problem which has had a wide range of social and economic effects on the community and police in Australia, namely break and enter offences.

The definition of break and enter offences varies slightly from state to state. Those used in South Australia are discussed briefly in the next section. However, regardless of minor differences between legislation in individual states, break and enter has been an increasing problem throughout Australia both in the number of offences reported and the rate of increase of these offences. While the number of break and enter offences has increased significantly over the last 10 years, the number of these offences cleared by police has remained static. Not only has it become increasingly difficult for police to prevent break and enter offences, it has become less and less likely that such offences will be cleared by the apprehension of an offender or by some other means.

Police management has become aware that the growing problem of crime in general, and residential based crime such as break and enter dwellings in particular, can no longer be successfully contained by police action alone. Rather, it necessitates the involvement of the community as a whole in crime prevention. The South Australia Police Department has recognised the need for community involvement in its crime prevention strategies for a number of years and is currently restructuring its operational resources and developing crime prevention strategies based upon this principal.

The extent of the break and enter problem in South Australia, its effects and the strategies which the South Australia Police Department has developed to combat the problem are discussed in this paper.

DEFINITION OF BREAK AND ENTER OFFENCES

The problem of what constitutes a break and enter offence in South Australia needs to be addressed. There are five sections of the South Australian Criminal Law Consolidation Act which relate to the offence of break and enter to commit a felony or with intent to commit a felony (refer Appendix 1). The definitions of these offences can be further explained by considering several points.

Firstly, in South Australia, the offence of break and enter to commit a felony can only be committed against buildings. Therefore any premises or dwellings which are not buildings, such as tents, caravans, boats, etc., cannot be subject to break and enter offences. Similarly the associated offences of sacrilege (break and enter place of worship), burglary (Break and enter dwelling at night), and break and enter buildings with intent to commit a felony can only be committed against buildings.

The second point relates to the breaking of security. It is not necessary that anything actually be physically broken. The breaking of security includes the opening of unlocked but closed doors and windows. However, the further opening of a door or window by an offender where the door or window is partially open does not constitute a break. The breaking can also relate to inner doors of the building and not just those on the outer extremities. Additionally, a breaking can be 'constructive', which means entry is gained by using fear or fraud or by conspiring with another.

The third point relates to entry into the building. Entry means either with the body or by the intrusion of some instrument for the purpose of committing the felony therein. The breaking and entry need not be at the same time or by the same person. Where one person breaks and the other enters that is sufficient to substantiate the charge as long as they were acting in pursuant of a common purpose.

Break and enter includes circumstances where an offender enters the premises and commits a felony therein and then breaks out of the premises. This also applies where an offender enters the building with intent to commit a felony and breaks in or out without actually committing a felony.

The offence of break and enter to commit a felony can relate to any felony, not just larceny. In practice, any case where the felony is more serious than the break and enter offence, the felony is normally recorded and not the break and enter offence. For example, if an offender broke into a house and raped an occupant then left without committing any further offences, a rape offence would be recorded. However, if after the rape, the offender also stole some money, then a rape offence and a break and enter with larceny offence would be recorded.

AVAILABILITY OF INFORMATION

Reported crime statistics collected by the South Australia Police Department have been computerised for a number of years. Due to limited computer storage space, the type of information which is coded onto the computer from the original source documents is extremely limited, consequently the type of information which is readily available is affected. It is not usually possible to provide detailed information on the modus operandi of offences, victims or offenders. However, occasional studies have been carried out on various aspects of break and enter offences and offenders who have been apprehended for these offences, by accessing the original source documents.

The Crime Prevention Section within this department conducted a study of methods of entry used in break and enter offences reported during 1978-79. The information collected for this study has been used extensively in the preparation of crime prevention campaigns and literature. This department also conducted a small study in 1981, where a sample of offenders apprehended for break and enter dwelling offences was selected and the appropriate documents accessed.

The Office of Crime Statistics, South Australia Attorney-General's Department, has recently conducted a major study of unemployment and crime in South Australia. One facet of this study involved access to the South Australia Police Department's original source documents relating to offenders apprehended for break and enter offences during 1983.

In addition, the South Australia Police Department has extracted statistics from the computerised crime statistics system relating to break and enter dwelling offences reported to police during 1984 and to the offenders arrested/reported for these offences.

The information available from each of these studies, and from published crime statistics, does not give a complete understanding of the break and enter problem in South Australia, but provides basic information about the problem and indicates areas which should be further investigated.

One major problem which arises when examining break and enter offences and offenders is the relationship between offences and offenders. There are two factors to be considered. Firstly, information is only available on apprehended offenders. Thus any generalisations of information relating to apprehended offenders to the general offender population is, of necessity, based upon the hypothesis that apprehended offenders are representative of all offenders. Police in South Australia only cleared 10.7 per cent of all break and enter offences reported to them during the 1983-84 financial year. Even allowing for multiple offences

Table 1 Total Break and Enter: Interstate Comparison of Offences Reported to Police

Year ¹	OFFENCES REPORTED (R), INDEX (I), ² PERCENTAGE ANNUAL CHANGE (%)														
	S.A.			N.S.W.			VIC.			QLD.			W.A.		
	R	I	%	R	I	%	R	I	%	R	I	%	R	I	%
1974	13348	100		43080	100		33035	100		13908	100		11563	100	
1975	14688	110	10.0	41210	96	-4.3	33072	100	0.1	14284	103	2.7	14833	128	28.3
1976	14029	105	-4.5	41639	97	1.0	36075	109	9.1	15518	112	8.6	14013	121	-5.5
1977	14567	109	3.8	44836	104	7.7	40954	124	13.5	14174	102	-8.7	14433	125	3.0
1978	15258	114	4.7	51223	119	14.2	49150	149	20.0	16276	117	14.8	14550	126	0.8
1979	17960	(3)	(3)	50144	116	-2.1	54433	165	10.7	17948	129	10.3	16071	139	10.5
1980	23867	(3)	(3)	56529	131	12.7	59336	180	9.0	19882	143	10.8	17008	147	5.8
1981	21879	164	(3)	69427	161	22.8	61360	186	3.4	23339	168	17.4	19349	167	13.8
1982	21122	158	-3.5	83162	193	19.8	67888	206	10.6	25545	184	9.5	19223	(3)	(3)
1983	21924	164	3.8	94510	219	13.6	78573	238	15.7	30576	220	19.7	24412	(3)	(3)

Source: Annual reports from the respective Police Departments.

1. The data for S.A., QLD, and W.A. pertain to the 12 month period ending 30 June for the indicated year; N.S.W. and VIC. data pertain to the calendar year, except for 1983 which for N.S.W. represents the 1982-83 financial year.
2. The Index 'I' indicates the percentage change, using the first year (1974) as the base year which is represented by 100; e.g. an index of 164 for S.A. in 1983 represents a 64 per cent increase since 1974.
3. Problems which arise within the crime statistics collection systems can produce irregularities in published crime statistics which, if not considered, can produce incorrect interpretations of the data. For example, a backlog of crime reporting documents occurred in South Australia during 1978-79 which was not processed until the 1979-80 financial year. Therefore, published crime statistics pertaining to 1978-79 are an under enumeration of the actual level of reported crime for that year, and correspondingly, published crime statistics pertaining to the 1979-80 financial year are an over enumeration of the level of reported crime. The Western Australian Police Department had similar problems as indicated in its 1983 Annual Report, though it is not known if such irregularities have occurred in other states. However, in all such cases, the comparability between years is affected.

Table 2 Selected Offences Reported To or Becoming Known To Police in
South Australia
1973-74 - 1983-84

Selected Offence	Financial Year											% Increase 73-74 - 83-84
	73-74	74-75	75-76	76-77	77-78	78-79 ¹	79-80 ¹	80-81	81-82	82-83	83-84	
<u>Rape/Attempted Rape</u>												
Number Reported Offences	100	91	131	149	172	165	222	280	222	259	321	221.0%
Rate per 100,000 population	8.10	7.25	10.31	11.64	13.31	12.71	17.02	21.33	16.77	19.40	23.83	194.2%
<u>Serious Assault</u>												
Number Reported Offences	188	212	242	252	260	351	482	467	569	653	726	286.2%
Rate per 100,000 population	15.22	16.90	19.06	19.69	20.13	27.03	36.95	35.57	42.98	48.92	53.90	254.1%
<u>Robbery</u>												
Number Reported Offences	256	279	269	268	213	328	494	388	388	350	417	62.9%
Rate per 100,000 population	20.73	22.23	21.18	20.94	16.49	25.26	37.87	29.56	29.31	26.22	30.96	49.3%
<u>Break and Enter</u>												
Number Reported Offences	13348	14688	14209	14567	15258	17960	23867	21879	21122	21924	26144	95.9%
Rate per 100,000 population	1080.81	1170.55	1104.65	1138.05	1181.14	1383.03	1829.73	1666.59	1595.56	1642.49	1940.91	79.6%
<u>Larceny (Excluding Motor Vehicle Theft)</u>												
Number Reported Offences	27134	29578	27521	31913	33591	38444	57107	46995	45354	47328	49143	81.1%
Rate per 100,000 population	2197.09	2357.19	2167.01	2493.20	2600.33	2960.42	4378.03	3576.71	3426.05	3545.70	3648.33	66.1%
<u>Motor Vehicle Theft</u>												
Number Reported Offences	4169	4679	4846	4496	5510	6492	5850	5802	5584	5635	6413	53.8%
Rate per 100,000 population	337.57	372.89	381.57	351.25	426.54	499.92	448.48	441.96	421.82	422.16	467.10	41.0%

Note:

Source: Police Commissioner's Annual Report.

1. Statistics relating to 1978-79 and 1979-80 were affected by processing delays of documents.

committed by individual offenders, information is only available on a small percentage of offenders. Therefore, any research work which assumes that apprehended offenders represent all offenders should be carefully evaluated. The South Australia Police Department is examining this hypothesis for a number of offences, including break and enter offences. By comparing the characteristics of cleared and uncleared offences, it is hoped to determine if any differences between these offences reflect corresponding differences between apprehended and non-apprehended offenders, particularly in the age of offenders.

The second factor that needs to be considered when examining the relationship between break and enter offences and offenders is the effect of multiple offences being committed by individual offenders and the associated effect of multiple offenders being involved in individual offences. The problems associated with this relationship become significant when examining the characteristics of offences and offenders which may be related to the propensity of some offenders to act in groups or to commit multiple offences. The department's crime statistics count an offender once each time he or she is apprehended for a break and enter offence, no matter how many break and enter offences he or she is charged with at each apprehension. The South Australia Police Department's 1981 study of offenders and offences examined the relationship between apprehended offenders and the first break and enter offence for which he or she was charged. (It is understood that this method was also used by the Office of Crime Statistics in their 1983 study.) However, the 1981 study then excluded all but the first offender apprehended for an individual offence, thus ensuring a one to one relationship between offenders and offences. The additional statistics which have been extracted specifically for this seminar relate to break and enter offences reported during 1984 and the offenders which were apprehended for each of these offences. These statistics, count an offender for each offence which was reported during 1984 for which he or she was charged.

When examining the relationship between break and enter offences and offenders it is important to note that only apprehended offenders can be considered and, secondly, to note the effect that multiple offences/offenders have on these relationships.

THE EXTENT OF THE PROBLEM IN SOUTH AUSTRALIA

Incidence of Offences Reported

Though the legal definitions of break and enter offences may vary from state to state, the basic definitions are fairly compatible. It has therefore been possible to develop comparable crime statistics for the number of reported break and enter offences for several states over a number of years (refer Table 1). It is apparent from these statistics and from statistics relating to

South Australia alone, that crime has been an increasing problem in South Australia, and in Australia as a whole, over many years. Over the last 10 years the reported rates of selected offences per 100,000 population have increased significantly. Table 2 gives the number and rates of selected offences reported to or becoming known to police in South Australia during the period 1973-74 to 1983-84. The number of reported rape/attempted rape offences per 100,000 population has risen by 194 per cent during this period, the rate of reported serious assault offences by 254 per cent, the rate of reported robbery offences by 49 per cent, the rate of reported motor vehicle theft offences by 41 per cent and the rate of reported break and enter offences by 80 per cent. In fact, during 1983-84 there were 1,941 break and enter offences reported for every 100,000 persons in South Australia. Though reported break and enter offences have not increased as rapidly as some offences against the person, the magnitude, and rate of increase, is still alarming.

Tables 3 and 4 examine the number of different types of break and enter offences reported to police. During the period 1973-74 to 1983-84 the number of reported break and enter offences committed against dwellings rose by 128 per cent, those committed against shops rose by 54 per cent, and those committed against other premises rose by 75 per cent. Whereas during 1973-74, only 47 per cent of reported break and enter offences were committed against dwellings, by 1983-84, 55 per cent of reported break and enter offences were committed against dwellings. This means that approximately one in every 32 dwellings* in South Australia was broken into during 1983-84.

Additional information relating to different types of break and enter offences reported to police during the calendar year 1984 and to the offenders who have been arrested/reported for these offences is shown in Table 5. It should be noted that some offenders may still be apprehended for these reported offences in the future. During 1984 there were 15,268 break and enter dwelling offences reported to police, of which 1,288 (8.4 per cent) were cleared.

These offences involved 1,517 apprehended offenders, who were not necessarily distinct as each offender could have been involved with more than one offence reported during 1984. Of the break and enter dwelling offences reported to police during 1984, about 87 per cent occurred in metropolitan Adelaide. Using the available estimates of the number of dwellings in metropolitan Adelaide

* The number of dwellings in South Australia at the 30 June 1984 estimated to be 461,500, and the number of dwellings in the Adelaide Statistical Division was estimated to be approximately 363,000 (figures from Australian Bureau of Statistics).

Table 3 Break and Enter Offences Reported To or Becoming Known to Police in
South Australia
1973-74 - 1983-84

Break and Enter Offence	Financial Year											% Increase 73-74 - 83-84
	73-74	74-75	75-76	76-77	77-78	78-79 ¹	79-80 ¹	80-81	81-82	82-83	83-84	
<u>Break and Enter Dwellings</u>												
Number Reported Offences	6318	6456	6413	6649	7329	9055	12550	11502	10365	11517	14435	128.5%
Rate per 100,000 population	511.58	514.50	504.96	519.45	567.35	697.29	962.13	876.14	782.97	862.83	1071.64	109.5%
<u>Break and Enter Shops</u>												
Number Reported Offences	2744	2920	2782	2733	2615	3694	4607	4355	4377	3962	4214	53.6%
Rate per 100,000 population	222.19	232.71	219.06	213.52	202.43	284.46	353.19	331.73	330.64	269.82	312.84	40.8%
<u>Break and Enter Premises</u>												
Number Reported Offences	4286	5242	4830	5173	4745	5211	6824	6040	6380	6447	7496	74.9%
Rate per 100,000 population	347.04	417.76	380.31	404.14	367.32	401.28	523.15	460.08	481.95	482.99	556.50	60.4%
<u>Total Break and Enter</u>												
Number Reported Offences	13348	14688	14205	14555	14689	17960	23981	21879	21122	21926	26145	95.9%
Rate per 100,000 population	1080.81	1164.97	1104.33	1137.11	1137.10	1383.03	1838.47	1667.96	1595.56	1642.64	1940.98	79.6%

Source: Quarterly Reports published in the South Australian Government Gazette. The statistics in this table may differ from those published in the Police Commissioner's Annual Reports due to different collating procedures of principal and addendum reports.

1. Statistics relating to 1978-79 and 1979-80 were affected by processing delays of documents.

Table 4 Number of Different Types of Break and Enter Offences Reported To or
Becoming Known to Police in South Australia
1980-81 - 1983-84

Type of Break and Enter Offence	Number of Reported Offences in Each Financial Year			
	1980-81	1981-82	1982-83	1983-84
<u>Break and Enter Dwellings</u>				
Burglary, Enter Dwellings at				
Night with Intent	132	146	225	287
Other Break and Enter House	9371	8367	9327	11892
Flat	1223	1143	1199	1546
Motel/Hotel	347	218	222	228
School Dwelling	14	12	11	11
Other Dwelling	472	479	533	471
TOTAL DWELLING	11559	10365	11517	14435
<u>Break and Enter Shop</u>				
Club	872	814	847	821
Pharmacy	119	121	94	89
School Shop	229	305	417	255
Service Station	244	326	196	167
Other Shop	2891	2811	2407	2882
TOTAL SHOP	4355	4377	3961	4214
<u>Break and Enter Other Premises</u>				
Bank	5	19	14	13
Building Site	34	50	40	65
Factory, Warehouse	629	629	607	601
Sacrilege	23	53	56	48
School	1253	1452	1479	1507
Surgery	277	326	280	423
Office	1508	1418	1348	2133
Other	2236	2433	2622	2705
TOTAL OTHER PREMISES	5965	6380	6446	7495
TOTAL BREAK AND ENTER OFFENCES	21879	21122	21924	26144

Source: Police Commissioner's Annual Reports.

Table 5 Break and Enter Offences Reported To or Becoming Known to Police In
South Australia
1 January 1984-31 December 1984

Area Where Offence Occurred	Type of Break and Enter Offence			
	Break and Enter Dwellings	Break and Enter Shops	Break and Enter Other Premises	TOTAL Break and Enter
<u>Metropolitan Adelaide</u>				
Number Reported Offences	13304	3111	5986	22401
Number of these offences cleared other than by the arrest/report of offenders	227	23	78	328
Number of these offences cleared by arrest/report of offenders	761	362	518	1641
Number of offenders involved with these offences	1150	641	925	2716
<u>Outside Metropolitan Adelaide</u>				
Number Reported Offences	1964	1050	1507	4521
Number of these offences cleared other than by the arrest/report of offenders	52	14	29	95
Number of these offences cleared by arrest/report of offenders	248	253	271	772
Number of offenders involved with these offences	367	484	526	1377
<u>Total South Australia</u>				
Number Reported Offences	15268	4161	7493	26922
Number of these offences cleared other than by the arrest/report of offenders	279	37	107	423
Number of these offences cleared by arrest/report of offenders	1009	615	789	2413
Number of offenders involved with these offences	1517	1125	1451	4093

Note:

Source: Computerised crime statistics file extraction 24 May 1985.

1. These offenders are not distinct as more than one offence may involve the same offender(s).

previously mentioned, this means that approximately one in every 27 dwellings in metropolitan Adelaide was broken into during 1984, while outside of metropolitan Adelaide, about one in every 50 dwellings was broken into.

Unreported Offences

It should be noted that police departments can only provide information on the number of offences reported to or becoming known to police. The level of unreported crime in South Australia remains largely unknown. Though surveys measuring the level of unreported crime are conducted on a regular basis in the United States of America, and to a lesser extent in Great Britain, only two such surveys have been conducted in Australia. The Australian Bureau of Statistics conducted a Crime Victims Survey during 1975 and more recently during 1983. Preliminary results from the 1983 survey indicate that in relation to the Australian households which were victims of break and enter dwelling offences during the 12 month period prior to the survey, only 69 per cent of the last break and enter incidents which occurred were reported to or became known to police. Therefore approximately 31 per cent of break and enter dwelling offences which occurred in the 12 month period prior to the survey were not reported to and did not become known to police.

It could be concluded that this fairly high level of unreported crime indicates an even more serious problem that is shown by the official statistics of reported crime. It has been proposed that changes in the levels of reported crime may not be wholly the result of the increased incidence of actual crime in the community, but that the increasing levels of reported crime may reflect an increase in the proportion of actual crime being reported to police. These changes could be the result of several factors such as changes in community attitudes, legislation, insurance requirements, and police procedures. At this stage it is not possible to accurately determine if changes in the proportion of actual crime which is reported are affecting the level of reported crime, but hopefully this would be possible in the future if regular, ongoing and comparable surveys could be conducted by the Australian Bureau of Statistics.

Offenders and their Modus Operandi

The department's Crime Prevention Section collected information on the methods of entry used in a sample of break and enter dwelling offences reported to police during 1978-79, (refer Table 6) which indicated that the most common method of entry was through unlocked doors and windows.

The department's 1981 study of offenders apprehended for break and enter dwelling offences during 1979-80, examined a number of factors including the method of entry and the incidence of group

Table 6 Method of Entry for Break and Enter Dwelling Offences

Method of Entry	% of Offences Included in Sample	
	Sample 1 1978-79	Sample 2 1979-80
Unlocked door or window	54.3	49.7
Forced, smashed window	26.9	32.7
Forced, smashed door	12.7	9.6
Key/Miscellaneous	5.6	5.9
Roof/Wall	0.5	0.9
Unknown	0.0	1.5
TOTAL	100.0	100.0

1. Sample of break and enter offences reported to or becoming known to police in South Australia during the financial year 1978-79.
2. Sample of offenders apprehended for break and enter offences during 1979-80. Only one offence per offender was examined if the offender was apprehended for more than one break and enter dwelling offence. In addition in case where more than one offender was apprehended for an individual break and enter dwelling offence, only one offender was included in the sample.

Table 7 Age by Sex Breakdown of Offenders Apprehended for Break and Enter Dwelling Offences

PART A

Sex of Offender	Age of offender (at time offence reported)						Total
	≤14 years	15-17 years	18-20 years	21-24 years	25-34 years	35+ years	
Male	413	358	209	180	164	38	1362
Female	71	29	23	9	13	6	151
TOTAL	484	387	232	189	177	44	1513

PART B

Sex of Offender	Age of offender (at time offence reported)						Total
	≤14 years	15-17 years	18-20 years	21-24 years	25-34 years	35+ years	
Male	245	286	190	169	141	33	1064
Female	49	30	21	8	12	7	127
TOTAL	294	316	211	177	153	40	1191

- A. Offenders involved in break and enter dwelling offences reported during 1984 and cleared by the arrest/report of an offender(s). An offender is counted for each offence for which he or she was charged.

These statistics count each offender arrested/reported for each break and enter dwelling offence cleared by the arrest or report of an offender. Therefore an offender will be counted once for each offence for which he or she was arrested/reported which was reported to police during 1984. These statistics have been obtained from an extraction of computerised crime statistics records.

- B. Offenders apprehended during 1984 for break and enter dwelling offence(s). An offender is counted for each apprehension.

If an offender was apprehended for multiple break and enter dwelling offences he or she is only counted once. An offender can be counted more than once if he or she is apprehended on more than one occasion. These statistics were obtained from the quarterly reports published in the South Australian Government Gazette.

offenders. Table 6 also includes a breakdown of the methods of entry used by the apprehended offenders included in this study. The ease of which those offenders were able to gain access to dwellings is evident. In almost 50 per cent of offences, the apprehended offenders gained entry through an unlocked window or door. The 1981 study of apprehended offenders also indicated that significant variations were apparent when considering characteristics of the apprehended adult offender compared with the apprehended juvenile offender. The survey indicated that the older offender was more likely to use force to gain access. In particular, the average age of apprehended offenders who gained access to unsecured premises was 16 years. In comparison, the average age of apprehended offenders who used force to gain access was 22 years. This suggests that the juvenile offender was more an opportunist and was generally more inclined to commit an offence if the risk factor was reduced. The survey also indicated that apprehended juvenile offenders had a tendency to commit offences in groups. For example, in approximately 75 per cent of cases when a given juvenile was apprehended, other juveniles were involved in the offence. In comparison, the offence was committed in company with others in only 18.3 per cent of offences involving offenders over the age of 25 years. It should be noted that this information is fairly limited and dated, and more recent information should be available from the study conducted by the Office of Crime Statistics.

The additional information which has been extracted for this seminar relates to break and enter dwelling offences reported during 1984 and the offenders who have been apprehended for these offences. Table 7 examines the age and sex of these offenders. This breakdown counts an offender for each break and enter offence with which he or she was charged, and indicates that 90 per cent of these offenders were male, while 58 per cent were aged 17 years or less.

A second table has also been given, which shows offenders apprehended during 1984 for break and enter offences. This breakdown counts one offender for each apprehension, and indicates that 89 per cent of these offenders were male, while 51 per cent were aged 17 years or less. The difference in the age of offenders in the two breakdowns appears to indicate that offenders aged 17 years or less were more likely to be charged for more than one break and enter offence each time they were apprehended than were adult offenders.

Of the offenders involved in the offences committed in metropolitan Adelaide during 1984, approximately 89 per cent were resident in the metropolitan area (refer Table 8). To examine the mobility of offenders involved in break and enter dwelling offences the place of offence and the place of residence for each offender involved was accessed and the distance between the place

of offence and residential address was determined. In cases where both the place of offence and the place of residence of the offenders were in metropolitan Adelaide, approximately 28 per cent of offenders lived within 1 km of where they committed the offence, while 42 per cent lived within 2 kms. When age was taken into account, 49 per cent of offenders aged less than 18 years lived within 2 kms of where these offences were committed, while only 31 per cent of adult offenders (18 years and over) committed the offences within 2 kms of where they lived (refer Table 9).

In addition, the time between the date the offence was reported and the date the offender was apprehended for offences reported during 1984 which were subsequently cleared by apprehension has also been examined (refer Table 10). Of the offenders involved in these offences, 77 per cent of juvenile offenders were apprehended within a week of the offence being reported, while only 56 per cent of adult offenders were apprehended during this period. Though this factor again appears age related, it should be noted that the majority of these offenders were apprehended within a short period of the offence being reported and it appears that the likelihood of an offence being cleared by apprehension may decrease rapidly as time passes from the date the offence is reported to police.

SOME POLICING PROBLEMS

The information presented here relating to break and enter dwelling offences is the most recent information available to the department. Though it is limited to some extent by the type and amount of information which is readily available, these data do indicate that reported break and enter offences, particularly against dwellings, are a serious and growing problem in the South Australian community. As mentioned previously, changes in the amount of actual crime which is reported to police may have significantly affected the level of reported crime which has been recorded, and the problem may not be as serious as it appears. Another serious problem with the amount and type of information available, relates to offenders. Information is only available on offenders apprehended for break and enter offences and it has yet to be shown that apprehended offenders are representative of all offenders.

This lack of detailed and reliable information has limited the department's ability to develop effective and efficient crime prevention strategies aimed at preventable crime such as break and enter offences. The South Australia Police Department has recognised the seriousness of the growth of crime for many years and has investigated and implemented several strategies aimed at decreasing the incidence of preventable crime such as break and enter offences. It has become increasingly obvious that these strategies have not been successful. The apparent failure of police to prevent or clear an appreciable amount of preventable

Table 8 Distance Between Place Where Break and Enter Dwelling Offence Committed and Residential Address of Offender(s)
Break and Enter Dwelling Offences Reported to Police
1 January 1984 to 31 December 1984

	Area Where Offence Occurred		
	Metropolitan Adelaide	Outside Metropolitan Adelaide	Total South Australia
Number of offences cleared by arrest/report	761	248	1009
Number of offenders involved in these offences who resided in metropolitan Adelaide at the time of their arrest/report	1027	30	1057
Number of offenders involved in these offences who resided outside metropolitan Adelaide at the time of their arrest/report	123	337	460
Total number of offenders involved in these offences	1150	367	1517

Source: Statistics extracted from computerised crime statistics system on 25 May 1985.

Table 9 Distance Between Where Break and Enter Dwelling Offence Committed and Where offender(s) Resided
(Offences reported during 1984 and cleared by the arrest or report of an offender)
(Offence Committed and Offender Resident in Metropolitan Adelaide)

Age of Offender (time offence committed)	Distance Between Place of Offence and Residential Address of Offender						Total
	<1 km	1 km & <2 km	2 km & <3 km	3 km & <5 km	5 km & <10 km	>10 km	
10-14 years	135	52	26	28	40	59	340
15-17 years	58	54	19	33	43	58	265
18-20 years	42	10	16	23	26	19	136
21-24 years	32	17	16	21	23	23	132
25-34 years	13	7	12	16	51	24	123
35+ years	8	0	1	4	3	7	23
TOTAL	288	140	90	125	186	190	1019

Table 10 Selected Offences Reported to or Becoming Known to Police in
South Australia
1973-74 - 1983-84

Age of Offender (at time offence reported)	Time Between Date Offence Reported and Date Offender Arrested/Reported								Total
	less than 1 day	1-2 days	3-7 days	1-2 weeks	3-4 weeks	1-3 months	3-6 months	more than 6 months	
10-14 years	202	90	67	36	39	21	11	2	468
15-17 years	150	47	52	36	28	46	20	2	381
18-20 years	104	25	18	18	29	27	5	3	229
21-24 years	79	26	15	17	20	25	6	0	188
25-34 years	54	22	11	26	17	31	11	2	174
35+ years	21	7	4	1	4	3	2	1	43
TOTAL	610	217	167	134	137	153	55	10	1483

crime is not the result of decreasing skills, knowledge or professionalism of officers. Rather, this department suggests that the increasing incidence of crime such as break and enter offences and the relative decrease in the risk of apprehension of offenders is the result of a number of interacting factors.

The changing social and economic factors affecting the incidence of crime have been the subject of considerable research for a number of years, and there is still considerable disagreement on the main contributory factors causing crimes such as break and enter. This department is examining the social factors affecting the main objectives of police forces, namely the prevention of crime and the detection of offenders.

The South Australia Police Force, among those in most of the western world, is based upon the English policing system of the 1800s. This policing system originally had two main objectives: the prevention of crime, and the detection of offenders. Under this system, the police and the community worked closely together in the prevention of crime. Since the establishment of the South Australia Police Department however, factors such as technological change, population growth, diversification of community attitudes and economic changes have interacted to change the role of the police in the community to a reactive force. For example, technological changes, such as improvements in communication and transport, have changed the role of police officers from a largely preventive community based role where they patrolled a small area on foot, to a reactive role where they are in patrol cars, readily deployable when and where required, but increasingly isolated from the community.

All of these factors have affected the respective roles of the police and the community, so that police and the community are no longer working together to fulfil the objectives of the prevention of crime and the detection of offenders. It was recognised by this department for many years that it had lost sight of its original objectives, particularly in that it was not fulfilling its crime prevention role. Considerable research has been done by many organisations, including this department, on how the objectives of crime prevention and the detection of offenders could be achieved effectively and efficiently. It has only been in recent years that the catalyst of increasingly limited financial resources has led this department to examine this problem in great detail and to re-organise its resources to achieve its objectives within these constraints. The strategies which have been developed by this department have not always succeeded, but they have indicated how the department should develop in the future.

CRIME PREVENTION STRATEGIES

Sector Policing

During 1973, the South Australia Police Department re-organised its resources from a centrally based organisation to a decentralised policing system based on areas called sectors. Sectors were patrolled by the same police on a regular basis so that relationships could be developed between the community and police. The importance of preventive policing was recognised, and 30 per cent of the workload of patrol officers was set aside for this type of policing. Sector policing was aimed at the prevention of a wide spectrum of crime.

However, though sector policing was originally developed on the basis of developing relationships between the police and the community, this was not as successful as envisaged. The boundaries of sectors were changed in accordance with workload levels so as to minimise response times to calls for service. This then affected the development of community/police relations. In addition, management did not really succeed in changing the attitudes of police officers to their role, as it was still generally accepted that the prevention of crime was only a minor part of the police role.

Operation 'Crime Alert'

During 1978 the South Australia Police Department established a working party to study the problem of the increasing frequency of crime against property. The aim of the working party was to prepare and recommend a plan of operation with a view to reducing the crime rate in the metropolitan area. The following factors, among others, were taken into account when the plan was formulated:

- . feasibility based on current staffing levels
- . primary objective of crime prevention
- . psychological impact on the public and criminals
- . period of time to operate
- . sequence of district application
- . public response and capability of police attention
- . publicity - media and other means such as hand bills to each house in a district - referring to premises' security
- . identification of units to be engaged.

In addition the following factors were also considered upon the advice of the Psychology Unit:

- . the more public involvement with police in a crime prevention campaign, the greater its chances of success

- . contact between police and the public should be on a person to person basis
- . the public must be convinced that the campaign is meaningful in terms of its advantages to them personally
- . the more channels of communication involved the greater the impact of the message
- . the visual impact must be as great as possible
- . the message must be transmitted in an environment familiar and comfortable to the recipient
- . the public must be psychologically prepared for a personalised campaign
- . where practical, the public should be 'fed back' information on the success of the operation
- . for a variety of reasons the police cannot change the propensity of individuals to commit crime, therefore the crime must be made hard to commit
- . private property can be made less accessible to the criminal
- . the criminal is generally unskilled and can be deterred from the commission of his or her crime by technical and human obstacles
- . the fear of detection must be reinforced in the mind of the criminal.

Commencing in late 1979, the major crime prevention campaign was begun in the metropolitan Adelaide area with the objective of reducing crimes against property in selected areas that had a high incidence of crimes against property. A group of approximately 40 uniform personnel were selected to operate alone in the area, where a door knock of local residents was conducted. Members were supplied with a simply worded advice to property owners aimed at promoting security consciousness and offered advice on crime prevention and other relevant police matters to householders. In addition, other police carried out patrol duties within the selected area for the duration of the operation. As part of the program, police offered each householder an external security check on their premises and made brief comments on the 'Security Advice Form' handed to the householder. They further advised that a police display, containing a wide range of security products and staffed by a member of the Crime Prevention Squad, was available for viewing at a nearby locality.

'Crime Alert' campaigns were conducted in various areas throughout the Adelaide metropolitan area over a period of almost a year. No significant increases or decreases in the amount of reported property crime, including break and enter offences, were determined in any of the areas during the campaigns. However, the low incidence of crimes in any one particular area made any statistical analysis difficult.

The high cost of the campaigns in both personnel and other resources severely limited the cost-effectiveness of this type of crime prevention campaign. The minimal involvement of the community, together with the high level of police involvement, limited the area to which the campaigns could be applied. It was impossible to implement the campaigns across the whole of metropolitan Adelaide at the one time, as police resources were only available for individual campaigns within small areas. The 'Crime Alert' campaigns were therefore suspended. However, the Crime Prevention Unit continued to supply information to the general public on security and crime prevention on an ongoing basis.

Current Crime Prevention Strategies: Community Involvement

Since that time, in common with many other law enforcement agencies both in Australia and overseas, the South Australia Police Department has been reviewing its strategies and general policing philosophy in an effort to develop more effective and efficient methods of combating both crime and social disorder. The rationale for adopting a planned, rather than a reactive policing role, with increased emphasis being placed on community/police interaction and crime prevention, can be readily determined by an analysis of this state's crime statistics. Such an analysis, for example, of housebreaking offences shows that their incidences cannot be alleviated by police action alone. At the same time, a sense of apprehension and an increasing fear of victimisation appears to have developed within broad sections of the community. These and other factors have indicated the need for a major review of the approach to policing.

In June 1983, a new Commissioner, Mr D.A. Hunt, was appointed to the South Australia Police Department. Following assessment of the direction of policing in South Australia over previous years and the efficiency of those directions in achieving the objectives of the police force, the Commissioner changed the emphasis in both management and operational policing philosophy in South Australia.

In the 1984 Strategic Plan issued by the Commissioner, he announced the elevation in importance of crime prevention to a principal part of the corporate strategy. He proposed that this emphasis would be achieved by a joint approach, combining:

1. a re-organisation, as appropriate, of general policing resources in both the metropolitan and country areas, to maximise the relationships between the various communities and the police responsible for servicing these communities; and
2. the amalgamation of Community Affairs and Information Services and the Crime Prevention Section to form an innovative and viable group capable of developing resources, programs and specific campaigns to promote public education and awareness of crime problems.

As a result of this approach, the South Australia Police Department is to introduce a re-organisation of its policing resources within metropolitan Adelaide during 1986. The formation of the proposed new police sub-division structure based upon individual communities will provide an ideal organisational structure within which the police and the public can develop community based policing.

Within the framework of community based policing, the department will adopt a lead role in the development and co-ordination of crime prevention programs. The programs will be spearheaded at local level by police commanders, through interaction with local government, service and community groups. The main thrust would be a very proactive approach by police in researching, structuring and implementing planned programs which would be re-assessed annually.

The Crime Prevention Program Unit has been established within the newly formed Community Affairs and Crime Prevention Branch. This unit has actively developed the required expertise to assist operational police in the planning and implementation of a wide range of crime prevention initiatives. The unit also has the capacity to identify problems and to overcome them.

Following the analysis of all available information related to long term crime prevention, the unit has proposed the adoption of two major initiatives, namely neighbourhood watch and a schools intervention program. A number of additional sub-programs and information packages based at the community level have also been proposed.

Neighbourhood watch is directed at reducing the incidence of preventable crime such as break and enter by minimising the opportunity for criminal activities through community awareness. As a first step in the development of neighbourhood watch, a 12 month pilot study is currently being undertaken. A comprehensive evaluation of this study will be undertaken to determine if the program is an efficient and effective crime prevention tool.

The schools intervention program will involve the participation by selected police officer in special school activities at primary and secondary levels. This process will involve the development of close liaison between local police and teacher/parent/student groups, the presentation of police/law education packages targeted at specific age groups within the education system, and associated informal police/student interaction. A 12 month pilot study has been implemented to assess the effectiveness of the school intervention program. This program is again particularly relevant to the prevention of crime such as break and enter offences due to the high involvement of juveniles in such offences.

A key aspect of the proposed initiatives concerns human resource requirements. Indications are that implementation of such

initiatives can be effected within the scope of present staffing levels. However, the question of personnel highlights the need for further detailed assessment of specific requirements, the opportunity for which will be provided by the pilot programs.

However, the major crime prevention initiative being undertaken by this department, which is primarily aimed at preventable crime such as break and enter, is the neighbourhood watch program. Experience in Victoria and overseas has indicated that a Neighbourhood Watch program may be an effective crime prevention program in South Australia, and could markedly improve police/community relationships. A 12 month pilot program, based upon the current Victoria program, was introduced in a selected area of metropolitan Adelaide on 1 May 1985. This program largely fulfils the guidelines established by the Crime Prevention Working Party in the late 1970s, and is in reality a development of programs such as 'Crime Alert'. But rather than police carrying most of the responsibility for crime prevention, the community is now being asked to accept a role in the prevention of crime, which should result in a much more cost-efficient and effective program. The 12 month program and its evaluation will enable this department to determine if this type of program is an effective crime prevention tool and to determine if any changes are required to the program if it is to be implemented on a wider scale in South Australia.

In addition to these crime prevention programs, the department has undertaken research into the factors involved in different types of crime, including assaults against police, rape, and domestic violence. In addition, a project is currently being carried out which is examining the relationship between the age structure of the population and the incidence of selected crimes, including break and enter offences. These projects will provide detailed and wide ranging information on which the South Australia Police Department can base the development of efficient and effective crime prevention and resource deployment strategies.

SUMMARY

Break and enter offences, particularly against dwellings, have risen significantly over recent years. Though other types of crime have increased at a faster rate, the magnitude of the break and enter problem has alarmed both police and the community.

It is now evident that police cannot overcome this problem with little or no assistance from the public. The community must be made aware of their role in the prevention of crime, particularly residential based crime such as break and enter.

The South Australia Police Department has attempted various strategies aimed at controlling preventable crime, and after

considerable effort have become convinced that the solution lies in the active involvement of the community through community based policing and crime prevention programs such as neighbourhood watch.

Whether this approach is indeed the solution to the problem can only be determined by the future.

APPENDIX 1DEFINITIONS OF OFFENCES RELATING TO BREAK AND ENTER OFFENCES IN SOUTH AUSTRALIACriminal Law Consolidation Act

Section 167

Any person who:

- (a) breaks and enters a place of divine worship and commits any felony therein;
- (b) breaks out of any place of divine worship, having committed any felony therein;

shall be guilty of the felony of sacrilege and liable to be imprisoned for life.

Section 168

Any person who, in the night:

- (a) breaks and enters any dwelling house of another with intent to commit any felony therein;
- (b) breaks out of the dwelling house of another, having:
 - (i) entered that dwelling house with intent to commit any felony therein; or
 - (ii) committed any felony in that dwelling house;

shall be guilty of the felony of burglary and liable to be imprisoned for life.

Section 169

Any person who enters any dwelling house in the night with intent to commit any felony, therein shall be guilty of felony and liable to be imprisoned for a term not exceeding seven years.

Section 170

- (1) Any person who breaks and enters and commits any felony in any building, or breaks out of any building having committed any felony therein, shall be guilty of felony and liable to be imprisoned for a term not exceeding eight years.

(2) In this section:

'building' includes any dwelling house, building within the curtilage of a dwelling house, school house, shop, warehouse, counting house, office, store, garage, pavilion, factory, workshop, dancing hall, place of public entertainment, billiard saloon, dressing room and any other building, whether of the same class as those previously mentioned in this subsection or not.

Section 171

Any person who breaks and enters any of the buildings referred to in section 170, or any place of divine worship, with intent to commit any felony therein shall be guilty of felony and liable to be imprisoned for a term not exceeding seven years.

BREAKING AND ENTERING: THE PLAGUE OF
MODERN SOCIETY

Detective Sergeant l/c K.G. Barlow
Police Department
Queensland

THE PROBLEM

Breaking and entering offences have reached epidemic proportions not only in this state but also throughout Australia and in the majority of the industrialised western society.

Burglary and breaking and entering offences have become lucrative and mean big business for the professional criminal, the drug addict, and juveniles, in ever increasing numbers.

It is an offence that has increased because of several factors. However, the lethargic attitude of most householders and property owners towards their own property and security, and their responsibility as members of the community, have been major contributing factors to this plague that has become the fastest growing industry in Australia since the post war economic development began.

Burglary is too easy and too profitable for the perpetrators of this type of crime to be deterred by mere newspaper reports of increased police activity, of a person sentenced for such an offence, or for the occasional sighting of a police patrol car that may encroach upon this area of activity.

Housebreaking has become so common place throughout Australia that it is almost rare these days to encounter someone whose house has not been broken into. As a result of a recent survey it has been established that one in six Australian homes have been broken into and that all Australians could be expected to be burgled twice in their lifetimes. In fact, burglary could be called Australia's newest national past time.

The items that remain high on the shopping list of the thief is ready cash left around the house, jewellery, video recorders, and portable electrical items. The total value of goods burgled in 1983 was set at \$250 million.

Something that is not advertised, is not written about to any great extent, and cannot be counted as a statistic, is the fear and trauma that householders are left with after the

discovery of the crime. This is much more noticeable in the case of elderly people.

This fear and trauma is even more aggravated when the perpetrator of the crime is apprehended and the householder or witness to the crime is informed by the police that he or she will be required to give evidence in a court of law.

There is the fear of reprisal, the fear of the court itself and the unknown, for the average person has had no dealings with the criminal law or the courts. Then there is the lethargy of the well to do that cannot afford the time to go to court because the insurance has been paid and they do not wish to become involved.

Overcoming this fear, trauma, and lethargy are major problems for the investigating police officer in his or her efforts to bring the perpetrator to justice.

The public attitude of not wishing to become involved has played a major role in this increase in crime. The sense of community has been allowed to run down and there has been a gap created between the police and the public.

The involvement of juveniles in general crime in Queensland for the year 1983-84 was 18 per cent of the overall crime figure. However, when it came to breaking and entering offences, this figure rose to 55 per cent. Of those arrested for breaking and entering offences in Queensland during that year, over half were juveniles.

These figures indicate a lack of parental control and a break down of discipline not only in the home but also in the school and social environment of the community.

THE STATISTICS IN QUEENSLAND

Table 1 Breaking Entering Offences - 3 Years

	1983-84		1982-83		1981-82	
	Reported	Cleared	Reported	Cleared	Reported	Cleared
Dwellings	14187	17%	15198	16%	11894	18%
Shops	5555	23%	5692	30%	4475	27%
Other Premises	10261	22%	9686	23%	9176	22%

Table 2 Juvenile Involvement Breaking and Entering Offences
1983-84

		Under 10		10-12		12-14		14-17	
		Male	Female	Male	Female	Male	Female	Male	Female
Dwellings	789	28	9	73	11	166	36	402	64
Shops	606	14	0	58	3	126	10	367	28
Other Premises	1016	55	7	138	7	265	22	496	26

THE LAW

Chapter 39 of the criminal law of Queensland, sections 418 to 425A inclusive, relate to burglary, housebreaking, and like offences.

Sections 419 to 422 create the offences in relation to dwelling house and other places. Sections 419 to 420 refer to dwelling houses. These are the most serious of such offences especially if committed in the night time.

Section 419 Housebreaking and burglary.

Any person who:

- (1) breaks and enters the dwelling house of another with intent to commit (an indictable offence) therein;
- (2) having entered the dwelling house of another with intent to commit (an indictable offence) therein, or having committed (an indictable offence) in the dwelling house of another, breaks out of the dwelling house;

is guilty of a crime, and is liable to imprisonment with hard labour for fourteen years.

If the offence is committed in the night, the offender is liable to imprisonment with hard labour for life.

Section 420 Entering dwelling house with intent to commit (an indictable offence).

Any person who enters or is in the dwelling house of another with intent to commit (an indictable offence) therein, is guilty of a crime, and is liable to imprisonment with hard labour for seven years.

If the offence is committed in the night, the offender is liable to imprisonment with hard labour for fourteen years.

Section 421 Breaking into places and committing indictable offences.

Any person who:

- (1) breaks and enters a place and commits an indictable offence therein; or
- (2) having entered committed an indictable offence in any place therein breaks out of that place;

is guilty of a crime and is liable to imprisonment with hard labour for fourteen years.

Section 422 Breaking into places with intent to commit indictable offences.

- (1) breaks and enters a place with intent to commit an indictable offence therein; and
- (2) having entered any place with intent to commit an indictable offence therein breaks out of that place;

is guilty of a crime and is liable to imprisonment with hard labour for seven years.

Section 425 then lists six offences which relate to persons found armed with intent to commit indictable offences.

Section 425 Persons found armed, etc. with intent to commit an indictable offence.

Any person who is found under any of the circumstances following, that is to say:

- (a) being armed with any dangerous or offensive weapon or instrument, and being so armed with intent to break or enter a dwelling house, and to commit (an indictable offence) therein;

- (b) being armed as aforesaid by night, and being so armed with intent to break or enter any building whatever, and to commit (an indictable offence) therein;
- (c) having in his possession by night without lawful excuse, the proof of which lies on him, any instrument of housebreaking;
- (d) having in his possession by day any such instrument with intent to commit (an indictable offence);
- (e) having his face masked or blackened or being otherwise disguised, with intent to commit (an indictable offence); or
- (f) being in any building whatever by night with intent to commit (an indictable offence) therein;

is guilty of a crime, and is liable to imprisonment with hard labour for three years.

If the offender has been previously convicted of a crime relating to property, he is liable to imprisonment with hard labour for seven years.

Section 425A provides certain definitions for the purposes of Chapter 39 and contains the definition of a term 'building' and 'place'.

The terms 'dwelling house', 'night', or 'night time', 'person', and 'owner', are defined as follows in section 1 of the Criminal Code.

Dwelling House: includes any building or structure, which is for the time being kept by the owner or occupier for the residence therein of himself, his family, or servants, or any of them. It is immaterial that it is from time to time uninhabited. A building or structure adjacent to, and occupied with, a dwelling house is deemed to be part of the dwelling house if there is a communication between such building or structure and the dwelling house, either immediate or by means of a covered and enclosed passage leading from the one to the other, but not otherwise.

Night or Night Time: means the interval between nine o'clock in the evening and six o'clock in the morning.

Person and Owner (and other like terms): These terms when used with reference to property, include corporations of all kinds, and any other associations of persons capable of owning property. They also, when so used, include Her Majesty.

The terms breaks and enters are defined as follows in section 418 of the Criminal Code.

Section 418 A person who breaks any part, whether external or internal, of a building, or opens, by unlocking, pulling, pushing, lifting or any other means whatever, any door, window, shutter, cellar, flap, or other thing, intended to close or cover an opening in a building, or any opening giving passage from one part of a building to another, is said to break the building.

A person is said to enter a building as soon as any part of his body or any part of any instrument used by him is within the building.

BREAK AND ENTER (CONSTRUCTIVE BREAKING)

A person who obtains entrance into a building by means of any threat or artifice used for that purpose, or by collusion with any person in the building, or who enters any chimney or other aperture of the building permanently left open for any necessary purpose, but not intended to be ordinarily used as a means of entrance, is deemed to have broken and entered the building.

The third paragraph of section 418 is what is termed a 'constructive break and enter' where entry is gained by means of a trick or by cunning.

Section 3 of the Criminal Code deals with the division of offences. Offences are of three kinds namely: crimes, misdemeanours, and simple offences.

Crimes and misdemeanours are indictable offences, that is to say the offenders cannot, unless otherwise expressly stated, be prosecuted or convicted except upon indictment (Supreme and District Courts).

A person guilty of a simple offence may be summarily convicted by two justices in petty sessions (Magistrates' Court).

Intent to commit an indictable offence, which is repeatedly referred to in Chapter XXXIX, is a specific intent and it must exist either before or at the time of the breaking and entry. It is not sufficient for the intention to come into existence at a time subsequent to the breaking and entering, and because the element of 'breaking and entering' is a composite element, including both breaking and entering, the intention must pre-exist both the breaking and the entering, and cannot have application if the intention comes into existence prior to the entering but subsequent to the breaking. There is also legislation in the Queensland Criminal Code relating to the hearing of offences contained in Chapter XXXIX.

Section 685A of the Criminal Code contains provisions relating to the restitution of property and/or the payment of compensation with respect to property.

Simple offences relating to housebreaking offences are defined in the Vagrants, Gaming and other Offences Act. Section 4(1)(VIII)(a) and (b) which states:

Any person who:

- (viii) without lawful excuse (the proof of which shall be upon him):
 - (a) is found in any dwelling house, warehouse, coachhouse, stable or outhouse, or in any enclosed yard, garden, or area, on board any vessel in any port, harbour, or place, or in or upon any mine or claim as defined by 'The Mining Act of 1898' or any Act amended or in substitution for the same;
 - (b) has in his custody or possession any picklock key, crowbar, jack, bit, or other implement of housebreaking, or any dangerous or explosive substance.

Section 4(1)(IX) relates to persons who, with intent to commit an indictable offence:

- (a) has in his custody or possession any deleterious drug, firearm, sword, bludgeon, or other offensive weapon or instrument;
- (b) is found by night having his face blackened or masked, or wearing felt or other slippers, or being dressed in disguise or otherwise disguised or having in his possession any dark lantern, electric torch, or any matches of the kind known as silent matches;
- (c) being a suspected person or known or reputed thief or cheat, is found in or on any river, stream, dock, or basin, or any quay, wharf, jetty, landing place, or warehouse near to adjoining thereto, or any public place or place adjacent thereto.

Both is found in or on contain the words 'without lawful excuse' (the proof of which shall be upon them). This is contrary to the norm where it is incumbent upon the prosecution to prove the offence beyond reasonable doubt. In the above cases, the onus is on the defendant to prove he or she had a lawful excuse for doing the act in question. However, before persons are charged, they must exhibit some inference that they were not there, or had possession of some article for some innocent purpose.

'IMPLEMENT OF HOUSEBREAKING'

In relation to the offence of being in possession of implements of housebreaking, generally, the terms mean any instrument or implement capable of being used for purpose of housebreaking. It will, consequently include such articles which may be of use to a housebreaker either in more efficiently effecting an entrance or in effecting an escape or concealing their identity. All such things may constitute the equipment of a housebreaker and the word 'instrument' should be so interpreted to include all these. Gloves and torches are common things which come within such a definition and many people will be found with them; but the safety of the innocent lies in the necessity of the magistrate finding that the implements were in the possession of the person charged, for the purpose of use in housebreaking.

It is necessary of course that when an individual is charged with having in his or her possession an instrument of housebreaking which could by its nature lend itself to perfectly innocent practices, it must be demonstrated by the prosecution that the circumstances under which the person charged was found in possession of it indicated the intent implied by its being so described.

The availability of an efficient and profitable means for disposing of stolen property is an essential prerequisite for most stealing and certainly for all organised stealing. Hence receiving stolen property knowing it to be stolen is a separate offence punishable more severely than stealing itself.

Section 433 of the Criminal Code provides:

Any person who receives anything which has been obtained by means of any act constituting an indictable offence, or by means of any act done at a place not in Queensland which if it had been done in Queensland would have constituted an indictable offence, and which is an offence under the laws in force in the place where it was done, knowing the same to have been so obtained, is guilty of a crime.

Where the thing so obtained has been:

- (1) Converted into other property in any manner whatsoever; or
- (2) mortgaged or pledged or exchanged for any other property; any person who knowing:
 - (a) that the said property is wholly or in part of the property into which the thing so obtained has been converted or for which the same has been mortgaged or pledged or exchanged; and

- (b) that the thing so obtained was obtained under such circumstances as to constitute a crime under the first paragraph of this section;

receives the whole or any part of the property into which the thing so obtained has been converted or for which the same has been mortgaged or pledged or exchanged, is guilty of a crime within the meaning of the first paragraph of this section and may be indicted and punished accordingly.

The indictable offences referred to in paragraph 1 in relation to property includes property: stolen; obtained by false pretences; by housekeeping - burglary; and by robbery.

If the property obtained is by an act which apparently constitutes an indictable offence, but for some reason it is not possible to substantiate a particular substantive offence, the receiver of the goods cannot be held guilty of receiving.

It is necessary to prove that the defendant at the time he or she received the property knew that it was stolen or obtained by means of an act constituting an indictable offence.

Where goods that have recently been stolen are found on the person of some person in Queensland implement a rule of evidence known as the doctrine of recent possession. It is not stated in any section of the Queensland Code but it has been adopted from the common law as a rule of general application.

It was explained by Griffith, C.S. in Trainer v R 1906, in the following way.

It is a well known rule that recent possession of stolen property is evidence either that the person in possession of it stole the property or received it knowing it to have been stolen according to the circumstances of the case. Prima facie the presumption is that they stole it themselves, but if the circumstances are such as to show it to be impossible that they stole it, it may be inferred that they received it knowing that someone else had stolen it.

In cases like this a charge of stealing the property is joined with a charge of receiving the property. To do this, power is given under section 568(4) of the Criminal Code which provides:

Charges of stealing any property and of receiving the same property or any part thereof, knowing it to have been stolen, may be joined in the same indictment and the accused person may, according to the evidence, be convicted either of stealing the property or of receiving it, or any part of it, knowing it to have been stolen.

When such an indictment is preferred against two or more persons, all or any of the accused persons may, according to the evidence, be convicted either of stealing the property or of receiving it, or any part of it, knowing it to have been stolen; or, according to the evidence, one or more of them may be convicted of stealing the property, and the other or others of them of receiving it, or any part of it, knowing it to have been stolen.

Provided that if the jury find specially that the accused person, or all or any of the accused persons, when the indictment is preferred against two or more persons, either stole the property, or received it, or any part of it, knowing it to have been stolen, and that they are unable to say which of those offences was committed by such person or persons as the case may be, such person or persons shall not by reason thereof be entitled to be acquitted, but the judge shall enter a conviction for the offence for which the lesser punishment is provided.

A charge of stealing can be joined with receiving as can a charge of robbery. However, a charge of break and enter and steal cannot be joined with receiving. However, the receiving can be joined with the stealing.

If a situation arises where a person is found in possession of property which is suspected to be stolen property, but an owner for that property cannot be located, section 25 of the Vagrant, Gaming and Other Offences Act is relied upon. It reads:

Persons unlawfully in possession of property. Any person who, upon being charged before a court with having in his possession or conveying anything whatsoever suspected of being stolen or unlawfully obtained, does not give an account to the satisfaction of the court how he came by such thing shall be liable to a penalty of \$50 or to imprisonment for six months.

On arrest of an offender, power to take finger prints etc. is invested in section 43 of the Vagrant, Gaming and Other Offences Act which provides:

Finger prints. Where a person has been arrested on any charge in respect of which a person may be arrested under this Act, or is in lawful custody for any offence punishable on indictment pursuant to 'the Criminal Code', the officer in charge of police at the police station to which he is taken after arrest or where he is in custody, as the case may be, may take or cause to be taken all such particulars as may be deemed necessary for the identification of such person, including his photograph and finger prints and palm prints.

Provided that if such person as aforesaid is found not guilty or is not proceeded against, any finger prints or palm prints or photographs taken in pursuance of the provisions of this section shall be destroyed in the presence of the said person so concerned.

The offence of burglary is dealt with in the Supreme Courts of Queensland whereas the offence of housebreaking, which is the same offence only committed out of the hours of 9 p.m. to 6 a.m. is dealt with by a District Court jurisdiction and carries imprisonment with hard labour for 14 years.

Penalties for associated offences range to three years imprisonment and are dealt with in the District Court jurisdiction.

There has been some misconception over the years that burglary, housebreaking, and associated offences, relate to the theft of property alone. This is not so as in Queensland the law is such that the offences are 'any person who breaks and enters the dwelling house of another, or any other place for that matter, with intent to commit an indictable offence therein is guilty of a crime'.

In explanation it is not necessary then that the indictable offence is that of stealing. It is the case that the indictable offences are many and varied and may range from murder to common assault or numerous other indictable offences referred to in the criminal law of Queensland.

An indictable offence is defined as being an offence punishable upon indictment.

One other act available to police in Queensland and relating to the unlawful entry of dwelling houses in the Invasion of Privacy Act. Section 48A(1)(a) of the Act states that any person who enters a dwelling house without the consent of the person in lawful occupation or, where there is not a person in lawful occupation, without the consent of the owner is guilty of an offence and liable to a penalty not exceeding \$1,000 or to imprisonment for a term not exceeding 12 months.

The section reads:

If the offender gains entry to the dwelling house:

- (i) by force;
- (ii) by threats or intimidation of any kind;
- (iii) by deceit;
- (iv) by any fraudulent trick or device;
- (v) by false and fraudulent representations as to the reason for entry;

he is guilty of an offence whether or not he has the consent of the person in lawful occupation or the owner.

It should be noted that in the Invasion of Privacy Act there is no need to prove any intent.

CLASSES OF OFFENDERS

In the main offences of breaking and entering are committed by three main groups or categories; the professional, the opportunist, and the juvenile.

The professional is one that may work alone or in an organised group working on selected targets and these persons are usually involved in major thefts. These offenders are the most difficult to apprehend and convict mainly because of their previous contacts with the law and their schooling in prison and other institutions. They usually have a ready market for stolen property and on occasions the items have been sold on consignment prior to being stolen. The professional criminal will not usually hold onto stolen property as this increases his or her chances of detection by the authorities.

The opportunist is just that. They usually prey upon unattended homes that advertise themselves as such. Drug addicts tend to fall into this type of offender and many methods are used to ascertain if the householder is absent from home. On some occasions these offenders wait until they see the householder leave the premises or they will knock at the door and use some ruse such as seeking a non-existent person living in the area should the door be answered.

The juveniles rarely work alone and they tend to steal money and small portable items. However, they have a great tendency to cause damage inside the household and on occasions the damage caused is far more costly than the items stolen.

METHODS OF ENTRY

The methods of entry into dwellings and other premises are many and varied. The most common tools still being used are the jemmy bar, the screwdriver, the brick through the window, or the stillsons to pull the door handle off.

Two unusual methods used recently that have come to the notice of the breaking and entering squad were that of a person called the 'Flyman' and another criminal that was, and still is, an expert in breaking into high rise office blocks.

The 'Flyman' climbed as high as 15 stories up the outside of buildings in the inner city area in order to effect entry into high rise units. He would climb onto a balcony and then enter through the unlocked sliding doors, steal money only from the units of the persons sleeping inside and then leave by going over

the balcony and down the outside of the building. He informed the investigating police that he had noticed the extra police activity so had moved to another area. He was using the broken blade of a pocket knife to insert into the door catch in order to spring it open and was successful in opening hundreds of locks in this manner. On examination there were no noticeable marks on the doors, the locks, or the door jambs.

Technical and scientific staff should be called to all breaking and entering offences of substance as some of the latest methods they have developed will assist the investigator in solving the crime.

It is imperative that any evidence at a scene should be taken possession of or gathered even though there is no suspect or any likelihood at that stage of the offender being located. It may be months later that a person is located who uses the same method of entry, and if there is some slight scientific evidence available, then it may be just what is needed to corroborate further charges against the offender.

Nothing is too small in any investigation and it may be of great value at a later date.

Recently, there was a spate of breaking and entering offences where stillsons were used to break off door handles. Inquiries revealed that a criminal living on the Gold Coast was travelling to Brisbane and committing offences. It was found that over a period of six months he had spent \$7,000 in hire car fees and would travel to Brisbane in the hire car, remove the plates, commit the offence, and then return to the Gold Coast. On his apprehension he would not talk to the police. However, scientific examination of a pair of stillsons proved that it was the tool used to commit the break-ins.

A recent survey of statistics showed that approximately 40 per cent of entries to dwelling houses in Brisbane occurred through unlocked doors or windows which shows a need for education of the public to make them more security conscious. There was also a recent spate of daylight break and enters in the western and southern suburbs which netted thieves many thousands of dollars. Their target was cash, jewellery, videos and other easily transportable electrical equipment. Most of these break and enters were through unlocked doors or windows.

WHAT IS THE BREAKING SQUAD DOING ABOUT IT?

Investigation work is primarily reactive. Investigators react to citizens reports of crime. Management improvements may increase the effectiveness of this approach but it will not diminish its

underlying weakness, that is, the investigation takes place after the fact and forces investigators to respond to events outside their control.

A collator is now employed whose main function is to study all break and enter reports and separate them into various sections depending on the methods of entry to try and establish a pattern. It has been seen in the past that on occasions when a thief is apprehended for one offence, he or she usually admits to several more. By classification of offences into methods of entry in various areas, it gives the investigating detectives a talking point. If they know what offences are committed where, they are then able to put these facts to the offender, usually with good results.

Also, the squad should make ordinary citizens aware of the incidence of break and enter, and educate them in the security of their premises, and in the identification of their property, that is the listing of serial numbers, photographing of property, especially jewellery etc. One of the main problems is not being able to identify property. If property cannot be identified the crime cannot be totally solved and a lesser charge has to be relied upon.

WHAT CAN THE PUBLIC DO ABOUT IT?

The public needs to become more proactive in what the police are doing in an attempt to bridge the gap between the police and the community.

Police officers should be more positive in their attitude to, and their day to day dealings with, the public.

The public also needs to be re-educated to become community conscious and to report suspicions to the police, to become a better neighbour, to become more security conscious, to look after their property, to record the serial numbers of their possessions, and to mark their property with an engraving machine.

Community awareness programs that have been instituted in other states and overseas are valuable and there is no reason why this system cannot reduce the rate of breaking and enterings in Queensland.

BURGLARY IN VICTORIA

Superintendent R. Braybrook
Victoria Police

The emphasis is on stopping the criminal before he acts. Physical and electronic restraints can delay the criminal but, unless the vigilance level is high, the delay has little effect on the criminal.

Inspector James L. Humphrey
Detroit Crime Prevention Unit

INTRODUCTION

Of the six states and two territories which comprise the Commonwealth of Australia, Victoria has the second largest population, 4,053,400 although it only ranks sixth in area.

Victoria Police

The Victoria Police with a total strength of 8,365 members, are responsible for law enforcement in Victoria. The present ratio of police to population is 1:485. The state is divided into 23 geographical districts, 11 in the metropolitan area (excluding Geelong) and the remaining 12 districts are in the country.

Study Method

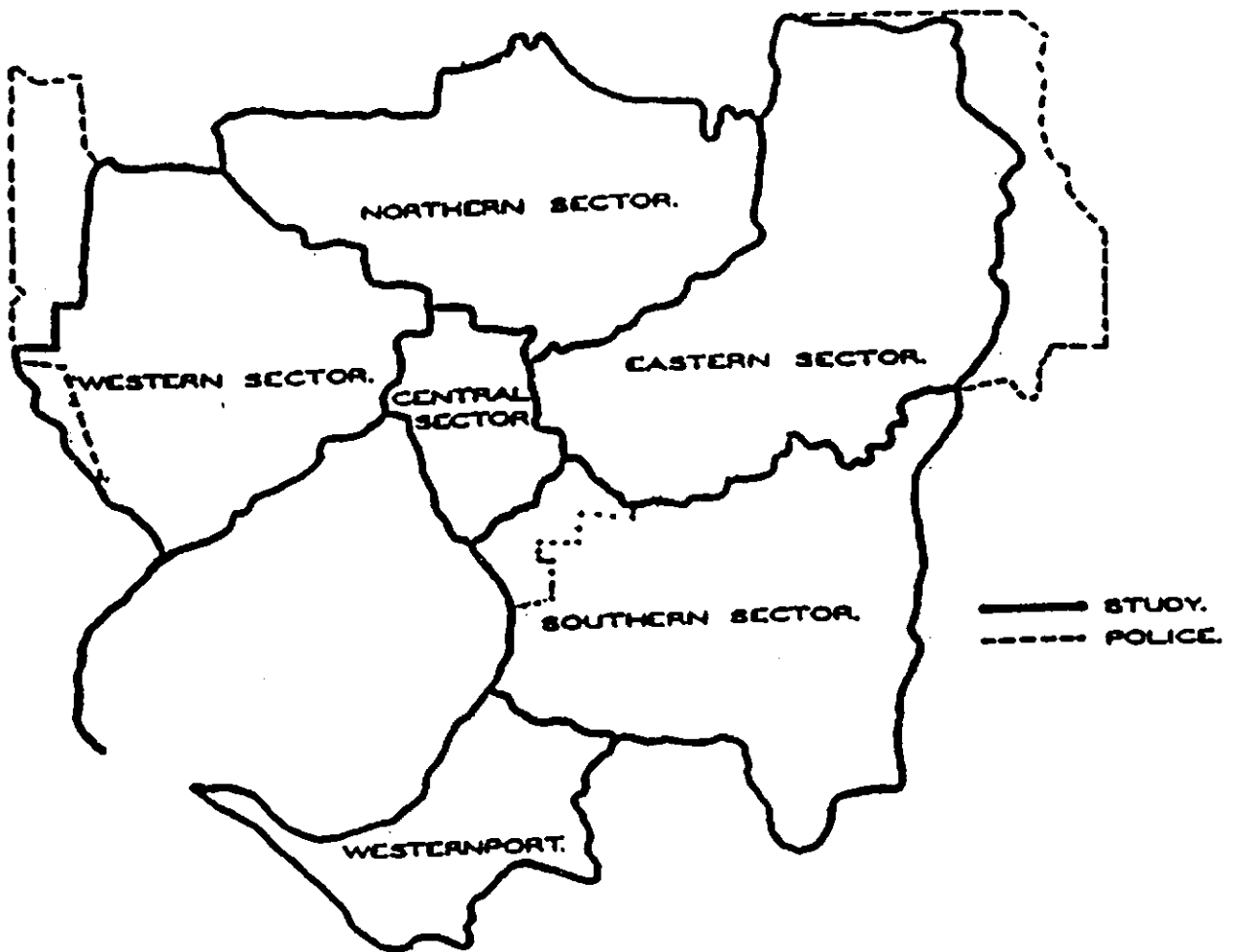
The studies surveyed crime reports for burglaries which were submitted to the Statistics Section of the Information Bureau, Crime Department, Victoria Police.

Data from the study samples were recorded and converted to coding for statistical analysis using the Statistical Package for Social Sciences (Nie, et al, 1975). Missing data was excluded from all analysis and had led to some inconsistencies in sample sizes between tables.

The Melbourne metropolitan area was divided geographically according to Melbourne Metropolitan Board of Works sectors (1981) shown in Figure 1.

FIGURE 1

METROPOLITAN MELBOURNE, VICTORIA, AUSTRALIA

BURGLARY

In Victoria, a person is guilty of burglary if he or she enters a building unlawfully. Burglary is one of eight groups of offences listed in the Victorian Major Crime Index. The other crimes reported in this index are: homicide, serious assaults, robbery, rape, theft, motor vehicle theft, and fraud.

In 1983, there was a total of 78,573 burglaries reported to the Victoria Police which was a 15.74 per cent increase from the previous year.

Burglary, after theft, is the most frequent offence in Victoria, it now accounts for 38 per cent of all major crime reported to police.

For the 1984 calendar year, the total value of property reported stolen from burglary crimes, was over \$69 million.

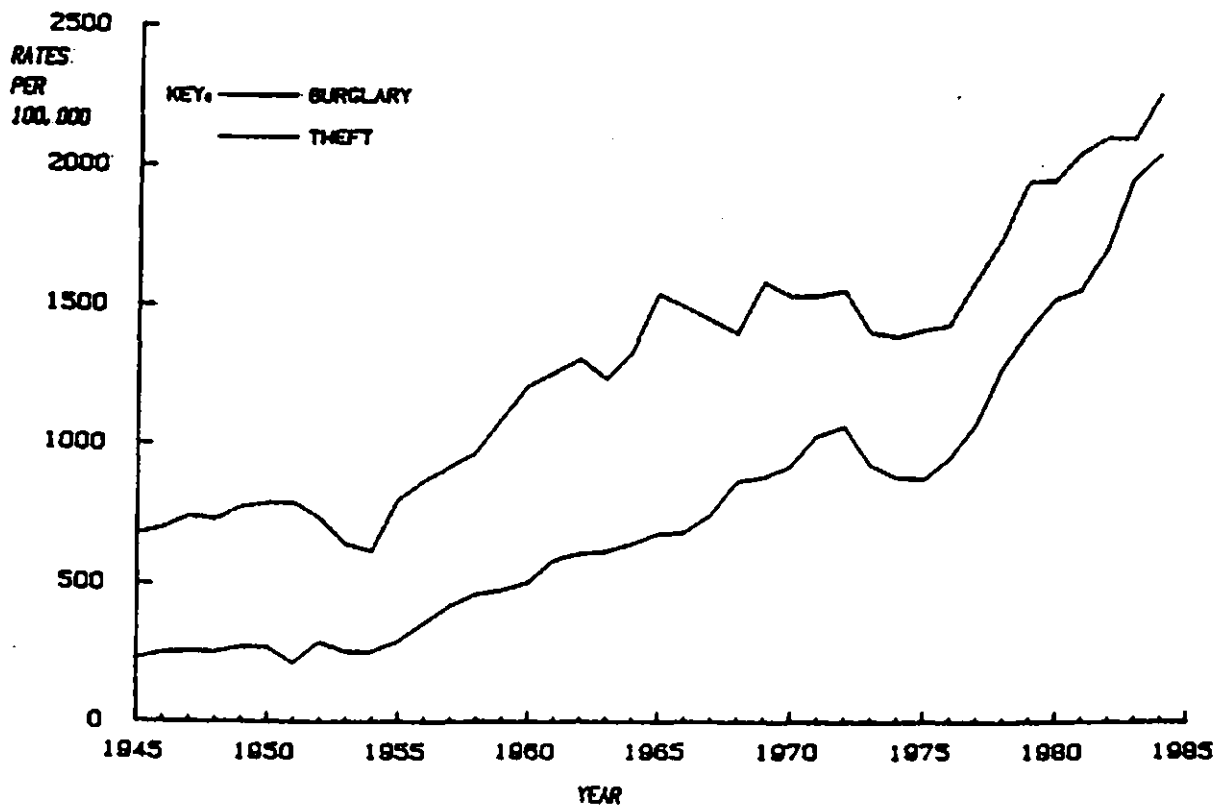
Burglary Trends

About 15 per cent of Australians have been burgled or had an attempted burglary over the last five years. (Walter Spratt, Royal Insurance Australia Limited). According to a study conducted by the Australian Bureau of Statistics, after New South Wales, Victoria has the largest number of burglaries. In 1983, police records indicated that a burglary was taking place in Victoria every 6.67 minutes.

Whilst the number of reported burglaries is increasing each year, the trend has been fairly constant with an average increase of 10 per cent over the last 10 years (Figure 2).

FIGURE 2 MAJOR CRIME INDEX, BURGLARY AND THEFT

Note: No theft figures for 1966, 1967



In Victoria the solution rate for burglary is about 12 per cent (Victoria Police, 1984). This solution rate is consistent with burglary studies conducted overseas (Scars, 1973; Repetto, 1974; Pope, 1977; Mark, 1978).

Profile on Offender

During 1982 a survey was conducted on 671 offenders processed by police for burglary offences.

A summary of the findings from this survey is as follows.

Of the 671 offenders, 279 were processed for residential burglaries, representing 41.57 per cent. The majority of offenders were male (92.80 per cent), under the age of 20 years (70.6 per cent); either students or unemployed (83.25 per cent); the majority lived with their families, (74.59 per cent); were either eldest or second eldest in the family (49.62 per cent); and were the sole offender when committing a burglary (44.7 per cent).

The majority of offenders arrested for burglary had a previous record with police (55.4 per cent). The first sanction for their crime was adjourned (53.6 per cent) and the majority had never been sentenced to a term of imprisonment (70.65 per cent). The main contributing factor for their actions of crime appeared to be lack of parental influence (37.57 per cent). Only 10 per cent had prior convictions for drugs.

Sanctions

In 1983, a sample survey of 58 adult offenders processed for burglary in the Broadmeadows sub-district revealed that imprisonment represented a total of 32.8 per cent. It is interesting to note that there were no imprisonment penalties given for over 12 months. Probation and bond were classed together for the purpose of this study and represented 18.9 per cent. Fine penalties were given to 15.5 per cent of offenders. The attendance centre represented 3.4 per cent while youth training centres had a total of 5.2 per cent. However, because of those failing to appear and trials still to be heard, pending represented 22.4 per cent.

GENERAL CHARACTERISTICS OF BURGLARIES IN VICTORIA

Home burglaries affect a sizeable percentage of the community directly and the entire population, indirectly, simply through 'fear' of being burgled.

In their book Burglary in a Dwelling - The Offence, The Offender and the Victim, British researchers Maguire and Bennett recorded that 60 per cent of the victims surveyed nominated intrusion on their privacy or emotional upset as the worst aspect of burglary. There was also fear of the unknown. In the majority of cases the victims had no idea who was responsible and imagination ran riot.

Place of Burglary

Burglary in Victoria is more likely to occur in central Melbourne than in any other area. Nearly all burglaries take place in premises which have been vacant more than two hours and money is the most frequently reported item stolen, followed by jewellery and electrical appliances. In half the offences property taken was valued at less than \$100.

Metropolitan police districts account for 83 per cent of all burglary offences which is slightly higher than the ratio of the distribution of the Victorian population.

Table 1 Place of Burglary in Victoria

	Burglary Offences (N=6965) %	Population (A.B.S., 1981; M.M.B.W., 1981) (N=3832443) %
Central Melbourne	17.7	7.3
Western Suburbs	10.5	9.9
Northern Suburbs	15.7	15.0
Eastern Suburbs	18.8	19.6
Southern Suburbs	20.5	19.2
Rural Victoria	16.8	29.0
	100.0	100.0

These burglaries were more likely to be reported in the northern and eastern sectors of metropolitan Melbourne while non-residential burglaries formed a great proportion of the offences reported in the southern sector of Melbourne and in rural Victoria (Table 2).

Table 2 Place of Residential and Non-Residential Burglaries

Place	Type of Burglary	
	Residential	Non-Residential
	(N=4046) %	(N=2919) %
Central City	17.4	18.2
Western Sector	10.2	10.9
Northern Sector	18.1	12.3
Eastern Sector	21.5	14.9
Southern Sector	18.5	23.4
Rural Victoria	14.3	20.3
	100.0	100.0

Chi Square Test - Highly Significant

Type of Property Taken

Over 23 per cent of all burglaries in Victoria were not associated with stealing of any property (Table 3). A further 17 per cent involved stealing of only money, while jewellery and television were the next most popular items for burglars to take.

Table 3 Property Taken in Burglaries

Property Type	Proportion of Item Alone (N=4395) %	Proportion of Item with Other Property* (N=3736) %	All Reported Burglaries (N=7068) %
Nil	100.0	-	23.3
Drugs	-	100.0	-
Money	53.0	47.0	28.6
Jewellery	33.2	66.8	9.6
Firearms	7.1	92.9	2.6
Televisions	40.0	60.0	7.2
Food	33.4	66.6	3.4
Stereo Equipment	25.7	74.3	2.7
Portable Cassettes, Radios etc.	29.2	70.8	4.8
Other	62.0	38.0	30.8

* Chi Square Test - Highly Significant

NOTE: Total equals more than 100 per cent because of offences involving more than one item.

Need for Research

Residential burglaries comprise about 60 per cent of all burglaries reported to police (Scott, 1973; Pope, 1977; Victoria Police 1982b). Over the last 10 years, residential burglaries in Victoria have increased by an overwhelming 213.78 per cent. Victoria now has a housebreaking every 10.5 minutes.

As a result of the trends in residential burglaries and the social/public concern, the Statistics Section at the Information Bureau of the Crime Department, decided to conduct a number of studies focusing on this crime, to provide data for police operational strategies.

Consultant for these projects was Dr Jane Hendtlass, senior research scientist. These studies looked at the offence, the offender, and sanctions.

RESIDENTIAL BURGLARIES

Over 90 per cent of permanent dwellings entered in residential burglaries in Melbourne involved breaking and entering of private houses.

Places of Residential Burglaries

The distribution of residential burglaries within metropolitan area was only slightly different from the distribution of dwellings (Table 4).

Table 4 Places of Metropolitan Residential Burglaries

	Residential Burglary Offences (N=3540) %	Proportion of Households (M.M.B.W., 1981) (N=813402) %
Central City	19.8	12.1
Western Sector	11.7	13.3
Northern Sector	20.7	20.1
Eastern Sector	24.6	26.8
Southern Sector	23.2	27.7
	100.0	100.0

Time Discovered and Period Premises Vacant

Nearly all household burglaries were discovered in the afternoon and evening (Table 5) in buildings which have been vacant between three and six hours or seven and 12 hours (Table 6). These factors indicate daylight burglary activity.

Table 5 Time of Discovery of Residential Burglaries

	Type of Building				
	Houses and Flats (N=355)	Garages and Sheds (N=244)	Residential Hotels/ Motels (N=44)	Holiday Homes (N=55)	Other (N=43)
	%	%	%	%	%
Midnight to 4.00 am	5.8	2.8	18.8	2.3	10.5
4.01 am to 8.00 am	4.0	20.1	41.6	-	15.8
8.01 am to 12.00 pm	11.6	35.6	-	38.6	36.9
12.01 pm to 4.00 pm	27.2	21.9	8.3	27.3	10.5
4.01 pm to 8.00 pm	29.9	14.6	22.9	22.7	10.5
8.01 pm to Midnight	21.5	5.0	8.3	9.1	15.8
	100.0	100.0	100.0	100.0	100.0

Chi Square Test - Highly Significant

Table 6 Period Premises Vacant in Residential Burglaries

	Building				
	Houses and Flats (N=3528)	Garages and Sheds (N=244)	Residential Hotel/ Motel (N=43)	Holiday Homes (N=55)	Other (N=43)
	%	%	%	%	%
Less than 1 hour	10.9	9.2	29.2	17.0	10.5
1 to 2 hours	5.0	1.7	-	-	5.3
3 to 6 hours	30.8	15.1	16.7	8.5	26.4
7 to 12 hours	30.9	15.5	35.3	-	7.9
13 to 18 hours	6.1	18.1	6.3	-	13.2
19 to 24 hours	2.7	9.7	-	14.9	5.3
Over 24 hours	13.6	30.7	12.5	59.6	31.7
	100.0	100.0	100.0	100.0	100.0

Chi Square Test - Highly Significant

Value of Property Stolen

The value of goods in residential burglaries showed distinct patterns which were related to the type of buildings entered.

About 20 per cent of burglaries involving houses, flats and holiday homes resulted in no loss and in a further 40 per cent the property stolen from these premises was worth over \$500 (Table 7). In contrast, over half the garages, sheds and hotel and motel breakings resulted in loss valued between \$100 and \$500.

Table 7 Value of Property Stolen in Residential Burglaries

	Type of Building				
	Houses and Flats (N=3362)	Garages and Sheds (N=231)	Residential Hotel/ Motel (N=42)	Holiday Homes (N=52)	Other (N=40)
	%	%	%	%	%
Nil	22.5	5.4	10.4	19.6	11.4
\$1-\$100	20.4	24.6	20.8	19.7	29.5
\$101-\$500	22.1	51.0	52.1	21.5	45.5
\$501-\$1000	14.6	9.3	10.4	7.1	9.1
\$1001-\$5000	17.9	8.9	2.1	32.1	4.5
Over \$5000	2.5	0.8	4.2	-	-
	100.0	100.0	100.0	100.0	100.0

Chi Square Test - Highly Significant

Discussion

In summary, houses seem more attractive to burglars than flats and the central city is more prone to residential burglary than the number of dwellings warrant. Breaking and entering of hotel rooms is more prevalent in the central city and in rural Victoria while holiday houses are more at risk in the southern sector of Melbourne and the country.

These factors appear to be associated with opportunity as they reflect the geographic distribution of different sorts of accommodation. This is in accord with the high frequency of daylight breakings which occur in dwellings vacant for between three and 12 hours and the high frequency of holiday homes and garage offences involving buildings left unattended for an extended period of time.

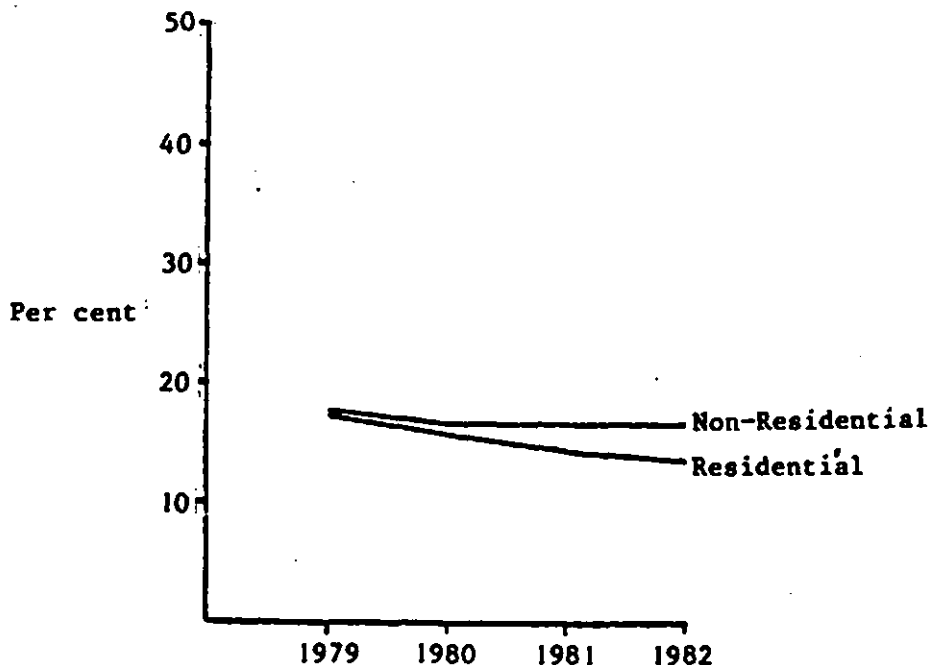
The value of goods stolen in residential burglaries again reflects those transportable items available to be stolen. Garages and sheds and hotel and motel rooms were more likely to provide items in the \$101 to \$500 range while 20 per cent of offences involving houses and holiday houses involved no loss and a further 40 per cent involved property valued at over \$500.

CONCLUSION AND RECOMMENDATIONS

After theft, burglary is the crime most frequently reported to police in Victoria (Victoria Police, 1982a). Burglary therefore remains an offence which has a strong influence on public perception of police professionalism and competence.

The solution rate for burglary is low and it has continued to decline over the last four years (for example, Victoria Police, 1982b) (Figure 3). Many experienced police officers and criminologists have expressed virtual powerlessness to do anything about this, taking into account traditional police methods and available resources (Greenberg, *et al*, 1973; Waller and Okinhiro, 1978; Maguire, 1982).

FIGURE 3 SOLUTION RATES FOR BURGLARIES REPORTED BY POLICE IN VICTORIA



To quote Sir Robert Mark (1978):

The simple truth is that crimes against property are now so numerous that both police and courts are of little relevance from the point of view of the victim and the insurer ... I am suggesting quite bluntly that for the first time in this century the belief that the State can, or even wishes to, protect people effectively from burglary, breaking offences and theft should be abandoned, at least in the great cities, where inadequate numbers of police have other and more demanding priorities.

This being so, strategies directed toward prevention of burglary need to be given precedence, both within the police force and within the community it serves.

Burglary in Victoria is more likely to occur in the central city area and less likely to occur in rural Victoria than the population distribution would suggest. This report consistently shows that factors associated with opportunity have the most important influence in commission of these crimes. Opportunity is associated with:

- (a) premises vacant over two hours;
- (b) offences discovered at times usually associated with return after extended periods of time; and
- (c) easily transportable and disposable property.

Buildings which are more likely to be subject to sophisticated security arrangements, such as banks and some shops, have burglaries discovered more often in the middle of the night. Burglaries of other buildings, such as dwellings, government buildings and construction sites which are not usually protected by alarm or security systems were more likely to be found when work began for the day or when residents returned home in the evening.

Burglars clearly take advantage of obviously empty buildings. It is of course impossible to say how many potential offenders have been deterred by security alarms and other devices but American studies have shown that about 20 per cent of non-residential burglaries occur in premises with active alarm and/or security inspection (Pope, 1977). It seems security arrangements probably reduce the frequency of property loss even if they have little proven effect on the likelihood of a burglary taking place.

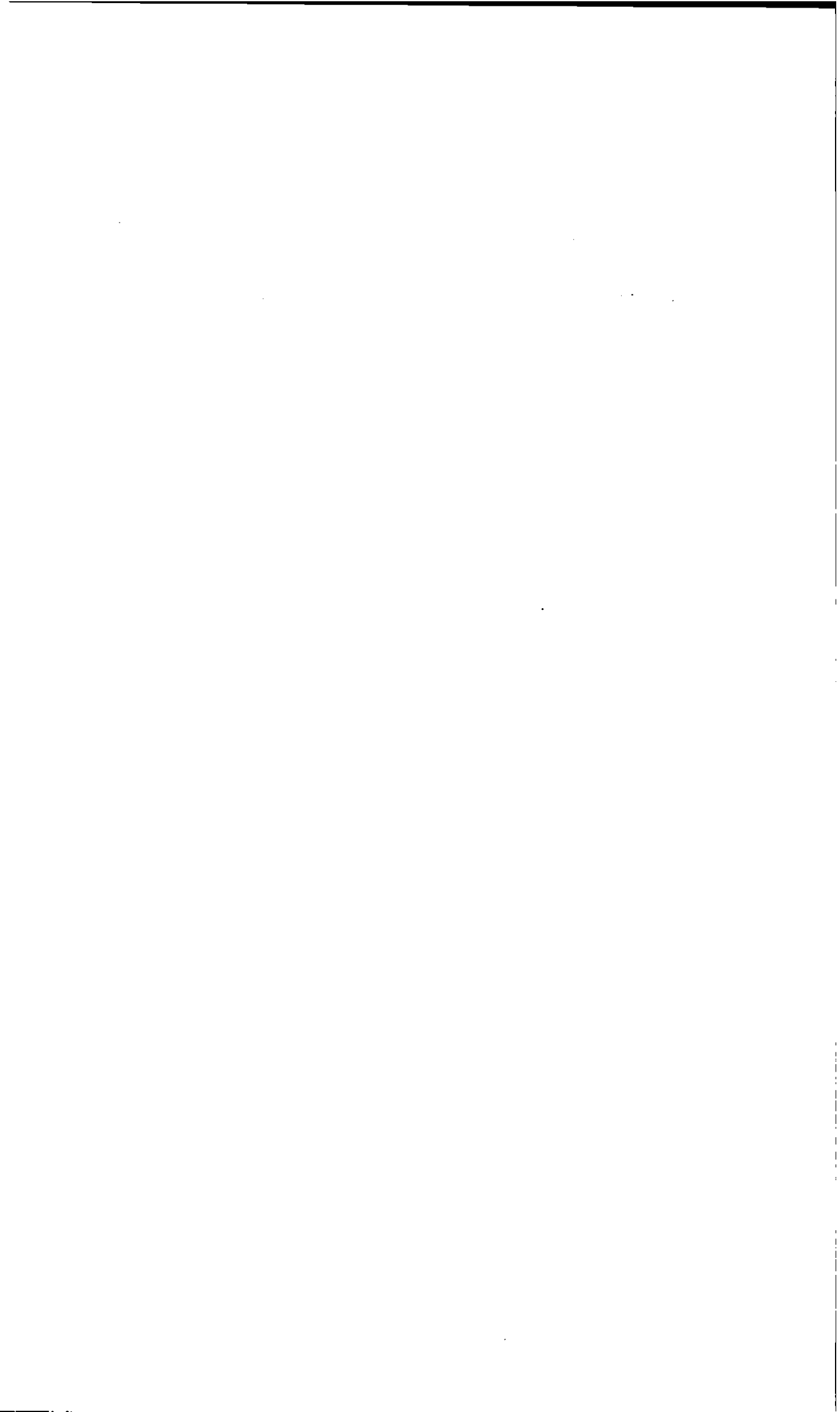
Further, burglary of dwellings vacated during the day may be reduced through the operation of local co-operative surveillance networks such as the neighbourhood watch programs which have been shown to be effective in Detroit and Manitoba (Humphrey, 1981; Smith, 1982).

It is therefore recommended that the public be encouraged to co-operate in reducing the period of time which buildings remain obviously unprotected by providing for security inspections, alarm systems and improved neighbourhood surveillance.

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BURGLARY OFFENCES IN TASMANIA

Detective Inspector B.J. Morgan
Tasmania Police Department

INTRODUCTION

Tasmania has a population of around 434,700 and had 5,597 burglaries in 1983-84 when property to a value of \$2,236,826 was stolen. This was an increase of 494 cases on the previous year with an increased value of property stolen of \$321,988.

Tasmanian legislation now provides for any illegal entry into any place to be burglary, whereas prior to 1973 the crime of burglary as it is known today was dealt with under three sections of the Tasmanian Criminal Code Act, and in the main fell, into three separate categories, namely, housebreaking, burglary and break and enter a building other than a dwelling house.

Prior to the current legislation, such things as motor vehicles and caravans could not be the subject of burglary, but today that situation has changed.

LEGISLATION

The crime of burglary is created under section 244 of the Tasmanian Criminal Code Act 1924 which states:

Any person who enters any place to which this chapter applies as a trespasser, or by means of any threat, artifice or collusion with intent to commit a crime therein, is guilty of a crime which is called burglary.

Charge: Burglary

Section 243 sets out the places to which section 244 applies and covers any structure, building, or erection attached to or resting on the ground or any other building or any such place in the course of construction, erection or demolition. In addition, it covers a conveyance such as any vehicle, vessel, aircraft or any other contrivance intended for the carriage of persons or property. See Appendix A.

CURRENT TRENDS

Burglary is one of the most frequent crimes committed in Tasmania, being second only to the crime of stealing and, given the size and population of the state, results in the loss of property of considerable value.

For the past three years dwelling houses have attracted a greater number of burglaries than any other type of building and correspondingly attracts the highest value of property stolen from any particular type of building. See Appendix B.

Whilst Tasmania's crime figures for the financial year 1983-84 decreased by some 833 reported crimes in comparison with 1982-83, the crime of burglary for the corresponding period increased by 494 reported cases with an increased value of property stolen of \$321,988.

Property stolen during a burglary usually consists of readily negotiable items such as electrical goods, particularly videos, jewellery, money, cigarettes, and liquor. Whilst these type of items have always been popular with criminals, there appears to be more emphasis on them today, and the larger, more cumbersome items are being ignored. An example of this is the theft of money safes which was prevalent during the 1960s and 1970s from business premises and private dwellings, but today such thefts are rare.

Whilst the state trend for the past three years has been that dwelling houses have attracted a greater number of burglaries, Launceston for the corresponding period has gone against this trend by having the greater number of burglaries committed on offices, factories, and warehouses.

The number of burglaries committed in Launceston exceeds other areas in the state with similar population figures, as does the value of property stolen resulting from burglaries. Whilst it is difficult to determine the reason for this, it is generally thought that one of the factors may be that Launceston is Tasmania's commercial centre, therefore offices, factories, and warehouses could reasonably be expected to be holding more property and money than other areas of the state.

COMMUNITY/NEIGHBOURHOOD WATCH

Tasmania, at this point in time, does not have community watch or neighbourhood watch programs in operation, but it has been monitoring interstate developments in preparation for the implementation of similar programs. Currently a senior constable is on a study tour of New Zealand and will be examining programs in that country. It is expected that Tasmania will implement either a community watch or neighbourhood watch program in about six months or so.

APPENDIX A

CHAPTER XXVII

BURGLARY AND LIKE CRIMES

- 243 - (1) The crime of burglary is a crime committed in relation to the places to which this chapter applies.
- (2) Subject to this section, any building or conveyance is a place to which this chapter applies.
- (3) References in this chapter to a building shall be construed as including references to -
- (a) any structure or erection attached to or resting on the ground or any other building; and
 - (b) any building, structure or erection that is in the course of construction or erection or that is partly demolished.
- (4) For the purposes of this chapter a conveyance means any vehicle, vessel, or aircraft, or any other contrivance intended for the carriage of persons of property over land or water or in the air, but does not include anything intended to be carried by person or propelled by a person walking.
- (5) Where a conveyance is not intended to be moved or has become incapable of being moved, whether by reason of any alteration thereto or otherwise, it nevertheless remains a place to which this chapter applies so long as it is ordinarily used for the purposes of human habitation or for the keeping of property, whether the person having a habitation in it or any property there or not.
- (6) For the purposes of this chapter but without affecting the generality of the provision thereof a tent shall be deemed an erection and a caravan a conveyance.
- (7) Where this chapter applies to any place, any part of that place shall be deemed also to be a place to which this chapter applies.
- (8) For the purposes of this chapter a person shall be deemed to have entered a place to which this chapter applies when entry thereto is made by the whole or a part of his body or by the whole of any part of any instrument or object that he has with him or that used by him for the purpose of -

- (a) gaining entry to that place;
- (b) abstracting or taking anything therefrom or attempting so to do; or
- (c) committing any crime therein.

244 - Any person who enters any place to which this chapter applies as a trespasser, or by means of any threat, artifice, or collusion with intent to commit a crime therein, is guilty of a crime, which is called burglary.

Charge: Burglary.

245 - (1) Any person who commits burglary and -

- (a) at the time he commits that burglary has with him any offensive weapon or instrument or any explosive substance; or
 - (b) uses or offers violence to any person -
 - (i) while committing that burglary; or
 - (ii) while he is still in or is leaving the place in relation to which the burglary was committed,
- is guilty of a crime which is called aggravated burglary.

Charge: Aggravated burglary.

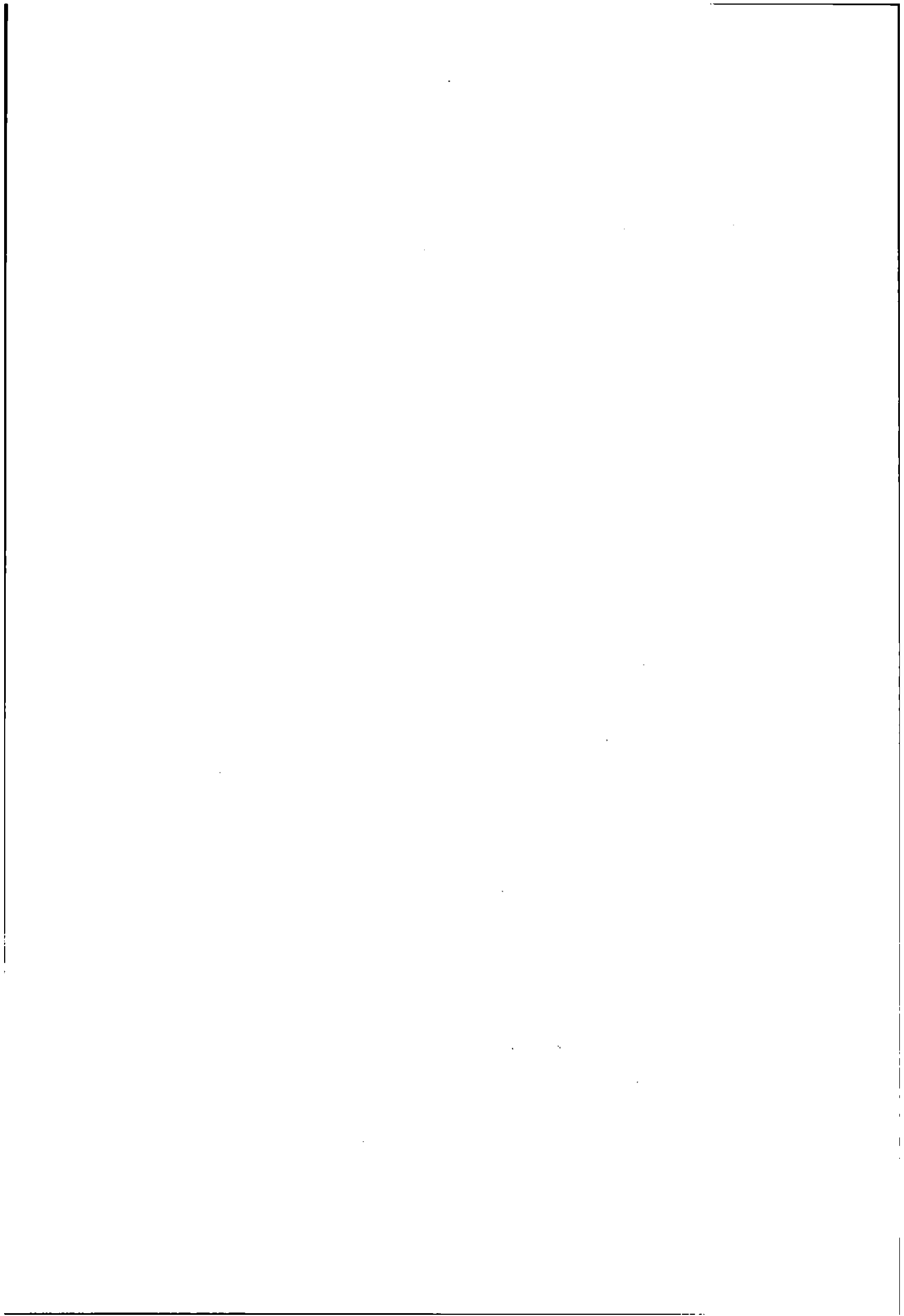
APPENDIX BTable 1 Burglaries

	<u>1982-83</u>	
	<u>Reported</u>	<u>Value</u>
Dwellings	2,158	904,525
Shops	1,093	424,680
Offices, Factories ,		
Warehouses	1,673	558,976
Other Buildings	179	26,657
	<hr/>	<hr/>
	5,103	1,914,838
	<hr/>	<hr/>

	<u>1983-84</u>	
	<u>Reported</u>	<u>Value</u>
Dwellings	2,393	1,035,550
Shops	1,149	518,372
Offices, Factories,		
Warehouses	1,888	655,869
Other Buildings	167	27,035
	<hr/>	<hr/>
	5,597	2,236,826
	<hr/>	<hr/>

Current Period (Divisional Figures)July 1984-April 1985

	<u>Reported</u>	<u>Value</u>
Dwellings	1,669	839,417
Shops	768	355,806
Offices, Factories,		
Warehouses	1,466	499,457
Other Buildings	80	19,488
	<hr/>	<hr/>
	3,983	1,714,168
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BURGLARY AND HOUSE BREAKING:

THE SITUATION IN THE AUSTRALIAN CAPITAL TERRITORY

Inspector John Cooper
Australian Federal Police
Canberra

BURGLARY

Burglary is a crime in the Australian Capital Territory by virtue of section 108 of the Crimes Act 1900 and attracts a penalty of 14 years imprisonment. The possible period of imprisonment is raised to 20 years where the offender is armed, at the time, with an offensive weapon, or is in company with another who is so armed, at the time, with an offensive weapon, or is in company with another who is so armed.

There are two restricting and distinguishing aspects of the crime; one being that it must occur during the statutory night, the other being that it must be committed upon a 'dwelling house', the definition of which has only in recent times been extended to include such premises as:

- (a) any building or structure intended for occupation as a dwelling and capable of being so occupied, whether or not it is or has been so occupied;
- (b) any building or structure containing separate flats or units that are intended for occupation as dwellings and capable of being so occupied, whether or not the flats or units are or have been so occupied;
- (c) a boat or vehicle in or on which any person resides;
- (d) any building or structure within the same curtilage as a dwelling house, and occupied therewith, or whose use is ancillary to the occupation of the dwelling house. Prior to this extension of the definition, burglary could be committed only upon a 'dwelling house'.

HOUSEBREAKING

Housebreaking is a far more common breaking offence mainly due to the restricting proofs required in burglary not being present: that is to say the time limit, the offence can occur at any time, and the class of premises which includes many buildings not referred to in the crime of burglary.

The premises include: dwelling house, building within the curtilage thereof, school-house, shop, counting house, office, store, garage, pavilion, factory or workshop, and any building belonging to Her Majesty or the Commonwealth or any authority established under a law of the Commonwealth or the territory.

Statistics on breaking offences in the Australian Capital Territory show a drop of 3.45 per cent between 1983-84 of all premises, but a sharp rise of 28.25 per cent in relation to dwellings only. The figures on dwelling house-breaking offences are included because it is this class of premises that the neighbourhood watch is aimed at.

The neighbourhood watch scheme was introduced into Kambah in November 1984, as a pilot scheme. There has been a definite decline in breaking offences in that area considering the figures for January-April 1985 against those for the same period 1984. In the absence of any other explanation, it is likely that this is a result of the neighbourhood watch.

BURGLARY/HOUSEBREAKING
AUSTRALIAN CAPITAL TERRITORY

1983

	All Premises All B.E.S.	% Increase Decrease All Breaks	Dwelling Only	% Increase Decrease Dwelling Only
January	287		92	
February	346	+20.56	117	+27.17
March	335	-3.28	128	+ 9.4
April	278	-20.50	124	- 3.22
May	324	+16.55	136	+ 9.68
June	315	- 2.86	140	+ 2.94
July	213	-36.36	114	-22.81
August	241	+13.15	120	+ 5.26
September	182	-32.42	73	-64.38
October	147	-23.81	73	0.0
November	185	+25.85	110	+50.68
December	163	-13.50		
	<u>3,016</u>		<u>1,317</u>	

1984

January	210		142	
February	220	+ 4.76	133	- 6.77
March	240	+ 9.09	137	+ 3.01
April	205	-17.07	101	-35.64
May	260	+26.83	144	+42.57
June	231	-12.55	127	-13.39
July	285	+23.38	161	+26.77
August	256	-11.33	143	-12.59
September	232	-10.34	115	-24.35
October	267	+15.09	142	+23.48
November	290	+ 8.61	192	+35.21
December	219	-32.42	152	-26.32
Total	<u>2,915</u>		<u>1,689</u>	
% Inc/Dec	-3.46%		+28.25%	

1985

January	292		207	
February	179	-63.13	117	-76.92
March	310	+73.18	214	+82.91
	<u>781</u>		<u>538</u>	

BREAK AND ENTER DWELLINGS: COMMENTS ON TRENDS
JANUARY-APRIL 1984 COMPARED WITH JANUARY-APRIL 1985*

The total number of break and enter dwelling offences reported rose from 517 in January-April 1984 to 672 in January-April 1985. This represents an increase of almost 30 per cent.

Trends in the major areas of the Australian Capital Territory saw increases in reported break and enter dwelling offences as follows:

	January-April		Increase/Decrease
	1984	1985	%
Belconnen	107	172	+60.7
Canberra North	137	237	+73.0
Canberra South	87	95	+ 9.2
Tuggeranong	74	56	-24.3
Weston Creek	45	25	-44.4
Woden	55	79	+43.6
Other Areas	12	8	-33.3

Belconnen and Canberra North accounted for 60.9 per cent (409) of break and enter dwelling offences during January-April 1985 compared with 47.2 per cent (244) of offences in January-April 1984. The top five suburbs were:

Top Position	January-April 1984		January-April 1985	
1.	Kambah	(35)	O'Connor	(50)
2.	Narrabundah	(29)	Braddon	(37)
3.	Ainslie	(23)	Kambah)
4.	Griffith	(20)	Ainslie)(25)
5.	Braddon	(18)	Lyneham)
			Reid)
			Turner)(23)
			Narrabundah)	

While it is difficult to explain these variations it is considered likely that the decline in Kambah is a direct result of the introduction of Neighbourhood Watch. The increase for

* A.F.P. Statistical Information Sheet No.1,
Statistical Services Branch, Canberra, June 1985.

O'Connor from 14 in January-April 1984 to 50 in January-April 1985 represents a 257.1 per cent increase in the number of reported offences.

Value of property stolen from dwellings rose from \$438,888 in January-April 1984 to \$670,542 in January-April 1985. Recovery of stolen property fell from \$41,917 in January-April 1984 to \$38,536 in January-April 1985.

Top Position	January-April 1984		January-April 1985	
1.	Curtin	\$64,612	Forrest	\$259,208
2.	Kaleen	\$25,525	Red Hill	\$45,853
3.	Deakin	\$25,040	Lyneham	\$23,351
4.	Kambah	\$18,519	Spence	\$20,769
5.	Red Hill	\$17,317	O'Connor	\$20,007

The statistics on Forrest reflect the impact on value of property stolen data of one break and enter involving the theft of a \$256,000 stamp collection.

Table 1 Analysis of Reports of Break and Enter Dwelling
Offences Involving all Complainants

Suburb	Offences		Offences	
	Reported January 1985-April 1985	Cleared January 1985-April 1985	Reported January 1984-April 1984	Cleared January 1984-April 1984
Belconnen	172	34	107	13
Canberra North	237	32	137	38
Canberra South	95	15	87	9
Tuggeranong	56	6	74	3
Weston Creek	25	4	45	12
Woden	79	5	55	7
Other Areas	8	0	12	1
All Suburbs	672	96	517	83

A DESCRIPTIVE ANALYSIS OF
BREAK AND ENTER OFFENCES ACROSS BRISBANE

Dr Neville Hathaway
Graduate School of Management
University of Melbourne

INTRODUCTION

The objective of this paper is to relate the recorded break and enter offence rates to various characteristics of the police divisions. The motivation for this is an attempt to explain the evident large fluctuations in the offence rates across the area under study.

This study is mainly derived from the author's input into the Specific Crime Targeting program of the Queensland Police Department. This was undertaken while the author held a position in the School of Social and Industrial Administration, Griffith University.

Social scientists have a long history of attempting to explain criminal behaviour. These attempts can be crudely classified as employing either micro or macro approaches. The micro approach has been one of concentrating the study on the individual by studying personality factors, situational factors, or combinations of these.

All criminal behaviour research assumes that the cause for the behaviour lies both in the individual and the society that the individual participates in. Various theories have arisen to explain an individual's propensity to exhibit criminal behaviour. General personality theories were developed by researchers, such as Freud, and from these developed the theory of personality traits. It enjoyed a strong following during the 1950s and early 1960s (Cattell, 1950). This theory assumed the existence of consistent inherent responses to stimuli. It was developed further by others such as Eysenck into the areas of abnormal behaviour and subsequently to criminal behaviour (Eysenck, 1964).

This direction of the research stopped rather abruptly with the discovery that personality traits are neither consistent nor persistent. They are rather, modified by situational factors (Mischel, 1968). This development led naturally to the emergence of interactional theories that attempted to explain criminal behaviour by the interaction of personality and situational variables (Mischel, 1979). Most of these theories have had limited success in their goal of explaining and predicting criminal behaviour.

The other major approach to exploring criminal behaviour has been the macro one of attempting to relate crime rates to socio-economic variables (Becker, 1971; Carr-Hill and Stern, 1979; Braithwaite, 1978; Fox, 1978; Biles, 1977; Mukherjee, 1981; Wellford, 1978; and Bottomley, 1981). These works generally involve one of two approaches, being either attempts to find long term correlates with crime rates or attempts to explain variations in crime rates across geographical areas. The former has been the more extensively analysed in the past. However there are problems with such attempts. Variables such as gross domestic product per capita, car registrations per capita, average level of educational attainment, per capita income, and degree of urbanisation, are often found to be long term correlates with crime (though the correlations are frequently not stable over time). However all such variables may be manifestations of increasing social affluence. This problem, along with the general caveat of correlations not necessarily implying causation, means that one needs to interpret such results with due care.

DATA

The offence data used in the study consists of the data for break and enter of dwellings, shops, and other. For compatibility with the socioeconomic data, the data used applied for 1981. Appendix A gives the list of police divisions for which the data is applicable.

The major caveat to be applied is the usual one of the data used being of recorded offences which may differ to a greater or lesser extent to actual offences, assuming that 'actual offences' can be defined. A lot of crime is said to go unreported, and police have reasonable discretion in the recording of crime, especially the type of crime to be reported.

There is likely to be a strong bias among the recorded and unrecorded crimes. It is unlikely that social control as manifested by police forces acts in a random manner.

Public reporting of crime is also likely to be non-random. It will be influenced by their attitude to the offender and/or victim, their perceived likelihood of the police reaction to the offence and also their attitude to the police themselves.

Changes in the divisions themselves have been allowed for.

The extensive socioeconomic data set was supplied to the police department by the Australian Bureau of Statistics (ABS). This data was extracted from the 1981 census. The divisions do not in general have coincident boundaries with the census collection districts. In some cases, proportioning of the data between divisions was necessary. This may have introduced some errors, though usually such estimates only involved small numbers.

The socioeconomic variables supplied by the ABS were extensive in number and clearly such a large data set had to be trimmed. A derived data set was thus generated from the original ABS data set. The variables in this set are listed in Appendix B. There are 62 variables in this set. The first 27 are various male characteristics, the next 27 are the same variables for females and the remaining 8 are non-gender variables.

The selection of these 62 variables was motivated by prior studies, discussion with active police officers and by consideration of variables thought to be possibly pertinent to the study.

As this is a cross-sectional study, only those data that vary across police divisions are relevant. The obvious missing data is that on drug takers. However no reliable data existed for the number of drug takers for each division. The other major caveat of the data is that it is a 'snapshot' of the situation in the division at the time of the census. If the division is volatile with respect to certain characteristics, then it would not be appropriate to relate that data to crime statistics collected over the period of a year.

CRIME PATTERNS

All offence data have been converted to per capita data. This has been done in order to remove the size effect inherent in the raw data. All other things being equal, a division is expected with twice the population of another division to have twice the number of offences. The same approach has been used with the clear-up data.

Not all criminal offences were included in the original study. Break and enter dwellings typically accounted for between 5-30 per cent of total offences recorded in the database. There are the expected major differences between the patterns of total offences and break and enter dwellings. Some divisions have a higher than average incidence, while others (notably the city) have a much lower than average incidence. Another obvious feature is the rather loose correlation between offence rates and clear-up rates. This is in contrast to the stronger correlation between total offence rates and total clear-up rates.

CORRELATIONS

A correlation is a statistical measure of how closely two variables move together. Two variables perfectly in synchronisation give a correlation measure of +1.00. If they are perfectly out of synchronisation, the value will be measured as -1.00. However, if they move independently of each other, the measured correlation will be about 0.00. Care in interpretation

is needed as movement of variables together does not automatically imply causation. The coincident movement could be pure chance, or it could be driven by another unobserved factor. Any causation attributed to the correlation is thus inspired inference.

The calculated correlation coefficients are shown in Tables 1-3. Only those significant correlations are included. All significant correlations are recorded as a zero.

Before attempting to interpret these results some general comments are in order. Any soundness these correlation coefficients have can only be said to apply to the time period of which they were calculated. They possibly may not be stable over time, in which case they probably have a rather reduced value.

In relating characteristics of the divisions to offence rates in the divisions, two thoughts as to the interpretation of correlation may apply. The characteristics of the division may reflect those of the offenders that reside in the division. This would be relevant for those offenders that commit their crime locally. Probably this applies more to youths than adults, as adults are typically more mobile than youths. Local offenders probably also stand a greater risk of being recognised and thus of being apprehended. Alternatively, the characteristics of the division may reflect the features that attract offenders to the area. Clearly there could be a blend of these two phenomena, though one may dominate in any particular division.

It is also clearly possible that there is no causal relationship. The correlations could reflect the characteristics of people who by circumstance find themselves living in areas of relatively high crime rates. Before commenting on the particular results, an overall view of the results is appropriate. Generally, quite a few of the correlations are verging on the insignificant. Also the estimates for clear-ups tend to be weaker than for offence rates. Another feature is that for most of the gender variables the correlations for females are of similar strengths as those for males.

When looking at individual results, it must be borne in mind that any individual can be represented by a number of the variables, for example, single, unemployed male aged 15+ years with no educational qualification.

Most of the correlations are of an expected sign, though a few are exceptions and require comment.

Average household income inversely varies with the break and enter offence rate. This may imply that the notion of the division attracting outsiders is wrong, and that it reflects the propensity of locals to perpetrate the offence.

Table 1 Correlation Coefficients: Break and Enter of Dwelling

VARIABLE	DWELLING		SHOPS ETC		OTHER	
	OFFENCE	CLEAR-UP	OFFENCE	CLEAR-UP	OFFENCE	CLEAR-UP
2	0.00	0.00	0.00	0.54	0.51	0.64
3	0.67	0.60	0.66	0.44	0.56	0.53
4	0.54	0.60	0.80	0.55	0.48	0.58
5	0.67	0.65	0.71	0.40	0.48	0.42
6	0.50	0.00	0.00	0.00	0.00	0.00
7	0.82	0.52	0.46	0.00	0.37	0.00
8	0.87	0.57	0.60	0.00	0.46	0.00
9	0.69	0.40	0.39	0.00	0.00	0.00
10	-0.68	-0.39	0.00	0.00	0.00	0.00
11	0.00	0.00	0.00	0.00	0.00	0.00
12	-0.40	0.00	0.00	0.00	0.00	0.00
13	-0.36	0.00	0.00	0.00	0.00	0.34
14	0.00	0.00	0.38	0.00	0.00	0.00
15	0.00	0.33	0.52	0.55	0.39	0.49
16	0.84	0.67	0.66	0.00	0.48	0.00
17	0.54	0.45	0.34	0.00	0.50	0.48
18	0.69	0.57	0.71	0.35	0.65	0.51
19	0.00	0.00	-0.33	-0.45	0.00	0.00
20	-0.71	-0.42	0.00	0.00	0.00	0.00
21	0.40	0.45	0.59	0.42	0.42	0.00
22	-0.61	-0.43	-0.47	0.00	-0.34	0.00
23	0.00	0.00	0.00	-0.36	0.00	0.00
24	-0.41	-0.46	-0.60	-0.44	-0.42	-0.34
25	0.00	0.00	-0.43	-0.60	0.00	-0.57
26	0.00	0.00	-0.34	-0.45	0.00	0.00
27	0.00	0.00	0.39	0.50	0.00	0.40
28	-0.45	0.00	0.00	0.00	0.00	0.00
29	0.00	0.00	0.00	-0.54	-0.51	-0.64
30	0.57	0.56	0.64	0.50	0.58	0.58
31	0.58	0.66	0.75	0.48	0.48	0.56
32	0.70	0.64	0.76	0.47	0.56	0.45
33	0.00	0.00	0.00	0.00	0.00	0.00
34	0.78	0.46	0.39	0.00	0.00	0.00
35	0.84	0.63	0.66	0.00	0.44	0.00
36	0.66	0.36	0.00	0.00	0.00	0.00
37	-0.65	-0.35	0.00	0.00	0.00	0.00
38	0.40	0.00	0.36	0.00	0.00	0.00
39	0.00	0.00	0.00	0.44	0.00	0.41
40	-0.33	0.00	0.00	0.00	0.00	0.38
41	0.00	0.00	0.00	0.00	0.00	0.00
42	0.00	0.00	0.38	0.57	0.33	0.50
43	0.83	0.69	0.65	0.00	0.49	0.34
44	0.56	0.44	0.39	0.00	0.53	0.46
45	0.77	0.59	0.76	0.35	0.61	0.44
46	0.00	0.00	0.00	-0.40	0.00	0.00
47	0.00	0.00	0.00	0.00	0.00	0.00
48	0.00	0.00	0.00	0.37	0.00	0.00
49	-0.59	-0.36	-0.39	0.00	0.00	0.00
50	0.00	0.00	0.00	-0.34	0.00	0.00
51	0.47	0.00	0.00	-0.41	0.00	0.00
52	0.00	0.00	-0.52	-0.60	-0.36	-0.53
53	0.00	0.00	0.00	-0.38	0.00	0.00
54	0.00	0.00	0.43	0.49	0.47	0.55
55	-0.45	-0.36	0.00	0.00	0.00	0.00
56	0.73	0.56	0.49	0.00	0.00	0.00
57	0.81	0.52	0.45	0.00	0.39	0.00
58	-0.61	0.00	0.00	0.00	0.00	0.33
59	0.00	0.00	0.00	0.34	0.00	0.39
60	0.89	0.54	0.54	0.00	0.41	0.00
61	-0.56	-0.48	-0.55	0.00	0.00	0.00
62	0.00	0.00	0.55	0.41	0.48	0.00

Table 2 Significant Correlates with per Capita Break and Enter of Dwellings

<u>Gender Variables</u>	<u>Correlation</u>	
	<u>Male</u>	<u>Female</u>
% born overseas	0.67	0.57
% natives	0.54	0.58
% unemployed	0.67	0.70
% not in labour force	0.50	
% single aged 15+	0.82	0.78
% widowed	0.69	0.66
% aged 10 - 16	-0.68	0.65
% aged 17 - 19	-0.40	
% families with head (M or F), other adult and dependents	-0.36	-0.33
% born Mediterranean countries	0.84	0.83
% born in Asian countries	0.54	0.56
% with low competency in English	0.69	0.77
% with trade/other qualification	-0.71	
% with no qualification	0.40	
% still at school	-0.61	-0.59
average income	-0.41	0.47
 <u>Non-Gender Variables</u>		
division area	-0.45	
population density	0.73	
% high density households	0.81	
% 6+ people residences	-0.61	
% other tenants	0.89	
average household income	-0.56	

Table 3 Significant Correlates with per Capita Clear Ups Break
and Enter of Dwellings

<u>Gender Variables</u>	<u>Correlation</u>	
	<u>Male</u>	<u>Female</u>
% born overseas	0.60	0.56
% natives	0.60	0.66
% unemployed	0.65	0.64
5 single aged 15+	0.52	0.46
% separated or divorced	0.57	0.63
% widowed	0.40	0.36
% aged 10 - 16	-0.39	-0.35
% born in Europe or America	0.33	
% born Mediterranean countries	0.67	0.69
% born in Asian countries	0.45	0.44
% with low competency in English	0.57	0.59
% with trade qualification or other	-0.42	
% with no qualification	0.45	
% still at school	-0.43	-0.36
average income	-0.46	
 <u>Non-Gender Variables</u>		
division area	-0.36	
population density	0.56	
% high density households	0.52	
% other tenants	0.54	
average household income	-0.48	

The higher the proportion of young teenagers, the lower the offence rate. Having a high percentage of juveniles per se does not alone explain a high offence rate. More affluent suburbs where families may tend to have young children also tend to have lower offence rates. Inner suburban areas, with relatively less children also tend to be high offence areas. Clearly other factors have to be taken into account.

Just as interesting are the variables that do not show up in the analysis. For example, the per cent of families with a single head does not have any significant correlation with offence rates. Closer study revealed that this is not unexpected. Indeed a plot of percentages of single parent families across Brisbane indicates that it is a remarkable constant quantity, apart from two relatively high incidences at Inala and Woodridge. It was surprising that the per cent unemployed not taking education did not show up as a significant correlate with offences. This group is often targeted as the most likely drug oriented group and drug taking is clearly held to be a major factor in breaking and entering.

The significant variable of the per cent widowed is clearly a case of a non-causal relationship. It is likely to reflect those elderly people still living alone in inner suburbs that have developed a high break and enter offence rate.

SUMMARY

The pattern of break and enter across Brisbane has been seen to follow basically the expected pattern of a modern cosmopolitan city. The factors that correlate with the incidence of break and enter are, with a few notable exceptions, the ones that an analyst would expect. The offence is one that is difficult to combat, which is exacerbated by the general rise in the incidence of this offence. Police departments will be required to develop more sophisticated techniques in combating this crime. One possibility is to develop the facility to forecast specific crime potentials for various areas. This would however require more detailed analysis of crime statistics put forward in this paper. It would require significant resources to be put into identifying crime patterns, both by time of day and location. Break and enter is probably the crime most suited to such an approach. The details and analysis performed upon it by both police departments and insurance companies must be prodigious. Whether this effort can be directed to the areas most needed by the police on the street remains to be seen.

APPENDIX A

POLICE DIVISIONS IN DATABASE

1	ANNERLEY	21	INDOOROPILLY
2	CAMP HILL	22	KENMORE
3	COORPAROO	23	MITCHELTON
4	HOLLAND PARK	24	NEWMARKET
5	MOOROOKA	25	RED HILL
6	MORNINGSIDE	26	TOOWONG
7	UPPER MOUNT GRAVATT	27	TORWOOD
8	WEST END	28	BANYO
9	WOOLLOONGABBA	29	CHERMSIDE
10	ACACIA RIDGE	30	CLAYFIELD
11	INALA	31	FORTITUDE VALLEY
12	OXLEY	32	HAMILTON
13	SHERWOOD	33	NEW FARM
14	CLEVELAND	34	NEWSTEAD
15	HEMMANT	35	NUNDAH
16	WYNNUM	36	STAFFORD
17	WOODRIDGE	37	WINDSOR
18	ASHGROVE	38	ZILLMERE
19	BARDON	39	SANDGATE
20	CITY	40	REDCLIFFE

APPENDIX B

DERIVED DATABASE OF SOCIOECONOMIC VARIABLES

<u>Male</u>	<u>Female</u>	<u>Gender Variables</u>
1	28	number in population
2	29	% in population
3	30	% born overseas
4	31	% natives
5	32	% unemployed
6	33	% not in the labour force
7	34	% single aged 15+
8	35	% separated or divorced
9	36	% widowed
10	37	% aged 10-16
11	38	% aged 17-19
12	39	% families with head (M or F) with dependents
13	40	% families with head (M or F), other adults and dependents
14	41	% unemployed not undertaking education
15	42	% born in North Europe or America
16	43	% born in Mediterranean countries
17	44	% born in Asian countries
18	45	% with low competency in English
19	46	% with tertiary education
20	47	% with trade/other education
21	48	% with no qualifications
22	49	% still at school
23	50	average age on leaving school
24	51	average income
25	52	average labour force age
26	53	% in professional occupations
27	54	% in trade and labour occupations

NON GENDER VARIABLES

55	division area
56	population density
57	% high density households
58	% 6+ people residences
59	% Housing Authority tenants
60	% other tenants
61	average household income
62	number of police per 5000 persons

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BURGLARY VICTIMS: CAUSES, PREVENTION, AND RESPONSE

Irvin Waller
Department of Criminology
University of Ottawa
Ottawa, Canada

INTRODUCTION

This paper highlights the causes of this crime, the ways to reduce it, and the ways of caring for the victims of this crime.

Over the last 20 years, the number of victims of residential burglary each year has increased dramatically. Also in the last 20 years, its major causes have been identified and it has been shown how it can be reduced. However, that knowledge has not been used to prevent burglary nor organised to recognise and respond to its victims.

Research done in Canada, the United States of America, and more recently, in England, will be used as the source of the data on which successful crime prevention programs could be based. Burglary, the Victim and the Public (Waller and Okihiro, 1978), is one example of that research. It was based on three sources of data. Firstly, a study was done of over 5,000 police records of residential burglary in metropolitan Toronto. Secondly, a series of interviews were carried out with convicted and known burglars about how they selected particular targets. Finally, a special type of victimisation survey was undertaken of 1,500 households to identify factors distinguishing victims from non-victims as well as assessing the impact of burglary on the public.

Coping with Burglary (Clarke and Hope, 1984), a British book that summarises the results from a major Home Office Workshop in England on residential burglary, will also be used as a reference. That workshop brought together the latest research on both prevention, fear reduction, and victim assistance.

That workshop did not focus on crime prevention's best kept secret: the Seattle Community Crime Prevention Program (Waller, 1982a). This project from the mid 1970s was established by the Mayor of Seattle through his special office on Law and Justice Planning. In simple terms, they identified burglary as a problem, identified its causes, set up a program to deal with those causes, and evaluated it to show that burglary was reduced by 50 per cent. This invention remains on the shelf rather than in the community action programs where it could be saving taxes and pain (Cirel, et al., 1977).

Literature, summarised in Waller (1982) and Council of Europe (1985) will be used to discuss the needs of, and how to respond to, victims. Further information on how this can be drawn from N.O.V.A. and the proceedings of the International Symposia of the World Society of Victimology (Schneider, 1982; Miyazawa, 1985).

This paper discusses burglary, its causes, and trends in prevention, which will give a base for appreciating the reasons for the success of the Seattle program.

INCIDENCE OF BURGLARY VICTIMISATION

Police recorded crime rates in most western industrialised democracies have increased dramatically over the last two decades (Waller and Touchette, 1982; Canada, 1982). Residential burglary is one of the most frequent of these crimes and its increases have been in many cases more dramatic than those of robbery, murder, or rape.

In 1983, the police reported one burglary for every 41 households in Canada (Waller and Weiler, 1984, p. 9). If the 38 per cent of residential burglaries that are not reported to the police are added to that figure (Waller and Okihiro, 1978; Solicitor-General, 1983c), there is one for every 27 households. This compares to rates of one for every 30 in England and Wales, and one for every 12 in the United States of America (Clarke and Hope, 1984, p. 3; Hough and Mayhew, 1983).

These rates can vary substantially from one area to another. For instance, the rate is one in ten for British inner cities, one in 17 for large city areas, one in 25 for smaller cities and one in 50 for rural areas (Gottfredson, 1985, p. 21).

FACTORS ASSOCIATED

The first step to successful strategies to combat burglary is to understand the differences between the 'occasional' and the 'persistent and serious' offender (Waller and Weiler, 1984, p. 16). If a random group of individuals are asked if they have entered a residence without the implicit permission of the owner by turning a door handle or forcing a window or breaking-in, more than 10 per cent of the group will admit to such an offence (Waller and Okihiro, 1978, pp. 73-5). These offenders can be labelled occasional.

However, there is also an important group of persons who are involved in persistent and serious offences including burglary. The persistent offender differs from the occasional delinquent in a number of specific ways, and is more likely to be disadvantaged

in several areas of their lives. With persistent and serious delinquents, these acts are likely to start at an earlier age and continue later. One dramatic statistic to confirm this fact is that children identified as daring and troublesome by parents and teachers at the age of 10 are more likely to be convicted than other disadvantaged children at every age up to 25. Further, one in four such children were persistent offenders by the age of 17, compared to one in 150 of the least troublesome (Waller and Weiler, 1984, pp. 17-18).

Burglary is primarily an offence committed by persons in the 15-18 year old age group. For persistent and serious offenders it may often start earlier but for occasional offenders this is the peak period (Waller and Weiler, 1984).

It is a crime predominantly committed by males. It is also a crime that usually involves aggression, risk-taking, and predatory behaviour (Rutter and Giller, 1983). Although there is some overlap between the sexes on aggressivity, research indicates that males are more aggressive than females due to both biological differences and the influences of social learning. Males are much more likely than females to engage in stranger to stranger offences involving property and violence.

Burglary is much more likely to occur in certain districts than in others. Studies (Scarr, 1983; Reppetto, 1974; Waller and Okihiro, 1978; Clarke and Hope, 1984) have shown that the rates for police recorded burglaries by census tract can vary from less than one per 100 households to more than 10 per 100 households on an annual basis. These residential burglary rates vary to some extent with the sociodemographic characteristics of the census tract. Where there are more single males per capita, less families with two parents present, more households with lodgers, and more single family dwellings, the burglary rate is higher (Waller and Okihiro, 1978).

Further, where a specific residence is near subsidised housing it is substantially more likely to be a victim of burglary than one further away. Public housing tends to concentrate persons with both economic and social difficulties in an area with limited school and recreation facilities.

The characteristics of the residence also make a significant difference. Where the household income is high, the house left vacant a large number of hours, and where it is difficult to see the various entries to the residence, the chance of that house being the victim of a residential burglary is higher. These are summarised in the table adapted from Waller and Okihiro (1978, pp. 54, 64).

The issue of income is associated with availability of goods to be stolen. Some of the increases in national burglary rates are correlated with more goods becoming available to be stolen. For instance, the increases in easily transportable and saleable goods such as electronic watches, radios, and televisions may have encouraged more burglary (Waller and Okihiro, 1978; Clarke and Hope, 1984, p. 3; Cohen and Cantor, 1981).

The more often residents are away from their homes, the more likely their homes are to be burglarised (Waller and Okihiro, 1978). With the gradual shift towards smaller numbers of persons in households, the burglary rate has increased. This is particularly striking when North American burglary rates are compared with those of Japan, whose rates have generally been close to zero; however, Japan is beginning to have a problem as more Japanese begin to live alone or as couples in residences. Also, the increasing tendency for both men and women to work outside the home means that more homes are left unoccupied during the day thus providing more easy targets (Waller and Touchette, 1982). This is also linked to availability of goods.

The limited number of persons able to intercede and prepared to intercede is the final factor that needs to be stressed. As society becomes more based on the 'nuclear' family and the individual, not only are people less often at home but they keep to themselves. This means that they will not intercede when necessary to help the other person.

Table 1 Summary of Stepwise Regression Analyses on Police Recorded Data from Sociodemographic data for Census Tracts

Burglaries per 1,000 dwellings (more), when the proportion of

1.	single males aged over 15 is	(higher)	more offenders	.409
2.	families with both parents is	(lower)	less community	.439
3.	households with lodgers is	(higher)	more affluence	.457
4.	single detached dwellings is	(lower)	fewer easy targets	.474

Table 2 Summary of Results of Stepwise Regression on
Victimisation Survey Data from Descriptive Data for
Houses

Burglaries per 1,000 households (more), when the household is:

1.	nearer to public housing	more offenders	.252
2.	richer	more affluence	.303
3.	empty for more hours	less risk	.347
4.	less visible to neighbours	less risk	.378

PRESENT PRACTICES IN CRIME PREVENTION

The fact that there are police, courts, and correctional agencies probably acts as a deterrent to some burglars. However, substantial changes in the level of police patrols do not seem to increase or decrease burglary rates.

One of the riddles of the last 15 years is that the police have expanded dramatically, yet the crime rate has continued to grow. In Canada the number of police officers has grown from 143 per 100,000 in 1960, to 225 per 100,000 in 1980. There has been a similar growth for Australia from 148 to 215, for the United States of America from 169 to 267 (Canada, 1982, p. 117). There is no systematic information on the tasks to which these additional officers were assigned, though two person patrol cars, and unionised shift work are two areas that have absorbed resources. It appears that most police departments still place their resources in reactive policing. In this stance the police department waits for the victim or complainant to call the police and then they investigate.

Typically police officers are deployed in cars whose primary purpose is to respond to calls. However, more than half of the time of these cars is devoted to preventive policing. The effectiveness of this type of patrol has been put in question by the famous 'Kansas City Experiment' where the level of patrol was doubled in certain areas while it was eliminated in others (Kelling, et al., 1974). After a year, victimisation surveys were used to test whether crime had been affected by the change in patrol levels. No differences were found so it was concluded that preventive patrol does not have any general effect on crime rates.

It has been estimated that an urban police patrol officer might be within 100 yards of a burglary every eight years (Clarke and Hope, 1984, p. 5). Of course even then the officer would be unlikely to be aware of the event as the burglar may be going through an entry not visible from the patrol car. Further, the chances of being convicted after arrest for burglary are less than 50 per cent.

There are other approaches that have met with some success. Undoubtedly the most promising law enforcement approach to burglary reduction is the use of covert operations to infiltrate fencing operations - 'sting operations' - where a substantial number of arrests are made after catching the key persons involved in selling stolen goods.

Some progressive police chiefs have realised the limits of the traditional law enforcement approach and so have set up small crime prevention units in the larger police departments. Often these units were previously concerned with public relations and then changed to community relations and so became crime prevention. However, in the process of metamorphosis, many tasks did not change. In Ottawa, the crime prevention unit continues to handle requests for public lectures, media interviews, police week, and the annual memorial service for slain officers. In short much of their time is still devoted to public relations, which limits their ability to reduce crime.

Although some of these units run programs called neighbourhood watch and help City Hall approve apartment designs, they have not yet been organised in a manner likely to have an impact on the level of burglary. Often the neighbourhood watch programs get going in average or affluent socioeconomic sectors only where there is a housewife with the time and abilities to organise the community; these tend to be areas with lower rates of burglary to begin with.

The Canadian program, entitled Good Neighbours, emphasises co-operation between the police and the community (Solicitor-General, 1984a). Unfortunately it has not yet gone beyond this co-operation to focus on any broad reduction in crime. The base it has built in goodwill may yet pay-off if communities start to follow some of the recommended 'strategic approaches' which are described for Seattle but are also discussed in the Canadian Practitioners Manual (Solicitor-General, 1984b).

In sum, police agencies in industrialised countries have not devoted sufficient resources to crime prevention and have not yet succeeded in organising in a way designed to reduce crime.

SEATTLE COMMUNITY CRIME PREVENTION PROGRAM

Considering the significance of residential burglary, it is surprising that there have not been more attempts to set up action programs to reduce it with appropriate evaluations.

In terms of systematic planning and evaluation, the major exception to the above is the City of Seattle. First of all, it established a special office called 'Law and Justice Planning' whose job was to:

1. identify the crime problems facing Seattle in order of priority.

It developed for the city a criminal justice plan, which examined trends in the nature and extent of crime both in Seattle as a whole and in specific census tracts (Seattle, 1980). Data used for this analysis came from telephone victimisation surveys, public attitude surveys and crime data in police records. The latter system is computerised and is similar to those available to, but rarely used in, most major police departments in North America.

The plan was developed in consultation with each of the major city agencies such as the police, human resources, schools, and recreation. Then it was presented to the City executive with a problem statement as to what needed to be done.

2. develop and ensure the implementation of projects to reduce these problems.

In the first plan, residential burglary was identified as one of its three priority problems. The planners then examined the literature and discussed the problem with experienced experts. At that time it was decided that burglary occurred in residences because:

- (a) inadequate use was made of locks (this assumption is questionable);
- (b) stolen goods were easy to sell to fences; and
- (c) the offence could be committed without fear of confrontation.

They therefore designed a project that would encourage residents to use locks (security precautions), make stolen goods harder to fence (operation identification), make confrontation seem more likely (lived in look) and make arrest more likely (neighbourhood watch). This project was housed in the City Department of Community Development, not the police department. Staff were recruited and it was set in action.

The leaflets used to support the block organisations are classic models (Seattle, no date). These provide the details on security in the home, on the street, and in block watch. It is essential to the success of the Seattle program that these were not distributed door to door, but were given out at local block meetings where their purpose and significance could be discussed, so that the residents would be motivated to use them.

3. evaluate the effectiveness with which the crime problem is reduced and recommend the appropriate manner in which successful projects should become part of the permanent services of the City of Seattle.

The evaluation examined the extent to which residents co-operated with the neighbourhood watch program as well as whether there was any change in the burglary rate. The evaluation looked at whether there was any displacement effect into other areas. It did not look at displacement into more serious crimes though this would have been readily apparent as a 10 per cent change in burglary would result in a 100 per cent change in robbery if that was the direction of the shift.

The conclusion from the evaluation was that the program had been successful in involving residents in the program. Further, as a result of this activity there was a 50 per cent reduction in residential burglary within one year in those areas where the program was implemented (Waller, 1982; Seattle, 1979 and 1978).

Block Watch

It is important to note that programs similar to neighbourhood or block watch do not necessarily follow the measures proposed in the Seattle Community Crime Prevention program (C.C.P.P.). Block watch, as instigated in some other jurisdictions, is limited to exhorting neighbours to talk to each other about residential burglary. In some instances it can be anxiety creating, as the instigators make the residents anxious about residential burglary so that they will take action on it. But if the program is not fully implemented it will not reduce either the anxiety or the crime rate.

In Seattle a director of the program employed six or seven workers to go out into the neighbourhoods. Each worker identified a resident in or near whose house a meeting could be held of all the people on that block to discuss the problems of residential burglary. In so doing the resident had the problem of residential burglary explained to them in their own home or block. Further, the way in which neighbours could intercede to reduce burglary was discussed with those neighbours. Talking between neighbours provides some reassurance and breaks down levels of fear. It also

makes it clear that a neighbour is prepared to have their neighbour intercede on their behalf when a suspicious person is approaching their residence.

The research shows that occasional and persistent burglars are concerned about the chances of being seen and of meeting a resident. For this reason they are tempted by or choose residences which do not have somebody present.

Security Precautions

Stating that one in three of Seattle's reported burglaries were perpetrated through unlocked doors and windows, C.C.P.P. focused on protecting homes from easy entry by providing residential security inspection services. These were designed to get residents to put locks or bars on windows and doors and generally increase the security on entry ways to their residences.

Although police files show many victims with unlocked doors, the Toronto survey found no difference between victims and non-victims in the use of locks among houses (Waller and Okihiro, 1978, p. 59). This is consistent with the results from interviews with burglars that show the locks per se on houses are not a factor unless it will take them time to get around the lock or the residence is 'fortified'.

Occupancy Proxy

C.C.P.P. did not focus residents' attention directly on being present. It is likely that residences where the house is made to seem occupied through proxies will also reduce vulnerability. Those residents who stop their mail, get their grass cut or - in Canada - remove their snow, stop newspaper deliveries, and place automatic light switches, reduce their chances of being victimised.

The research confirms the importance of these measures. Burglars consistently state that what they want most is to avoid confronting a householder. Further, victims differ from non-victims in the extent to which somebody is home.

The Toronto survey showed that apartment buildings, which employed door officials, had no burglaries.

Operation Identification

C.C.P.P. introduced a tactic to mark personal property so that it would be harder to sell. Engraving tools were used to mark property where the number was visible; however, some operation

identification pens do not show that the goods have been marked, and so provide little discouragement to the burglar after the goods are removed from the house.

For most burglars, marking goods is irrelevant as they tend to be interested in cash and easily transportable property. Also occasional offenders tend to sell the goods on school playgrounds rather than to fences.

Summary

The next table provides a list of some of the major measures advocated to reduce residential burglary. The 'occupancy proxy' measures are the most likely to reduce residential burglary. It also has relatively little impact on feelings of security or on life style and so appears to be the first type of initiative to be encouraged. Block watch in detached or row housing neighbourhoods also has sound evidence to support it. As it appears to be another proxy for occupancy, it may also work well in public housing.

The security precautions are more questionable for single houses and certainly should not be the mainstay of any program to reduce crime. It may also break down the very ties with neighbours in residential areas which may be the key not only to crime prevention, but feelings of security. On the other hand, security measures including guards for high rise housing seem highly effective.

The success of target hardening and defensible space notions have been seriously questioned by an accumulation of empirical studies in the literature (Mayhew, 1979 and 1983). These have intuitive appeal, but they certainly do not justify any large expenditures for redesigning the cities.

In general terms, the persistent and serious offenders are only going to be marginally influenced by projects such as the C.C.P.P. which reduce opportunity. As stated above, longitudinal studies identify certain common characteristics of such persons. It is possible that concerted intensive casework could have an important preventive effect. In sum, this requires targeted social intervention. These issues can be developed much further (Canadian Council for Social Development, 1984; Waller and Weiler, 1984).

Similarly the arguments and research relating to the effectiveness of criminal justice measures are being debated in many other sources (see for instance Solicitor-General, 1983). However, these brief tables should serve as a reminder that programs to cope with residential burglary must deal with a variety of different approaches (Clarke and Hope, 1984).

In the United States of America the Eisenhower Foundation is playing a lead role in pioneering crime prevention programs that are community-based. Their program manual promotes examples of both neighbourhood watch programs that reduce opportunity and projects that involve disadvantaged youth in finding more constructive life styles to reduce their motivation to commit crime (Eisenhower Foundation, 1983).

Table 3 Major Measures Advocated to Reduce Residential Burglary

Defensive Crime Prevention (particularly occasional offenders)

	Houses	High Rise	Public Housing
1. Occupancy proxy	yes	yes	yes
2. Block Watch	yes	no	unsure
3. Security Precautions	no	yes	unsure
4. Operation Identification	no	no	no

Crime Prevention through Social Development (particularly persistent and serious offenders)

1. Positive Parenting
2. Public Housing
3. Recreation
4. Youth Employment

Criminal Justice Sanctions

1. Sting Operations
2. Prison Sentence
3. Probation

IMPACT OF RESIDENTIAL BURGLARY ON VICTIMS

There are six major ways in which victims suffer from crime (Waller, 1982b). Firstly, there is the loss of property and money. Secondly, there is injury. Thirdly, there are feelings and behaviour that occur because of the shock, symptoms of post traumatic stress disorder; Fourthly, there are the effects of the crime on the family and friends of the victim. Fifthly, there are the variety of inconveniences caused by the state's action of trying to identify, convict and hold an offender accountable.

Finally, there are difficulties with the lack of access to specialised services, like victim support schemes and problems with hospitals, insurance companies and welfare agencies.

Loss

The vast majority of burglaries do not have an impact on victims in serious ways. They involve small financial losses, no physical injuries, and little emotional upset. As such, burglary, event by event, is a minor social problem. Taken cumulatively, however, total losses for 1980 exceeded \$100 million in England and Wales, \$90 million in Canada and \$1 billion in the United States of America.

There are a variety of different forms of loss of property or money. Typically surveys measure these in terms of their financial value. Often the impression is left that this is not a major problem; for instance, researchers emphasise that 90 per cent of victims lose less than \$500 (Winchester and Jackson, 1982, p. 33). They cavalierly ignore the 10 per cent of this total who lose at least \$500; this 10 per cent is equivalent to more than 50,000 households in England and Wales.

Further, the impact of \$50 is not the same on all persons. In simple terms, \$50 to a young millionaire is a much less important financial event than when it is the life savings of an elderly person on welfare. Further, possessions may mean much more to their owner than the equivalent cash. For instance, a photograph of a deceased loved one, or a wedding ring, have much more sentimental than cash value.

Damage to property can also mean very different things to different people, particularly varying with the way the damage is done. The breaking of a front door lock is considered by most victims to be the normal action of an offender trying to get into a residence to steal cash or easily saleable property. Whereas, the trashing of curtains or use of lipstick to write insulting messages on mirrors can be felt to be a major violation of the person who lives there. Single women living alone or elderly people are particularly prone to deep fear and anger as a result of such acts, which often represent insignificant financial losses. Moreover, these acts are often committed by young children.

Injury

Many of the surveys of burglary overlook the point that for the victim, it is the potential for violence against their person, that is the source of a lot of their concern. Because so many of the studies start from police records of burglary, which by definition exclude rapes and robberies following break-ins, the potential violent nature of burglary has been overlooked.

In addition, researchers have a tendency to ignore small percentages. In the case of residential burglary, a small percentage is multiplied by such a large number of events that it can represent a significant social problem. In Boston in 1974, at least one in 100 residential burglaries ended up as robberies (Repetto, 1974, p. 5); however, in Toronto, 20 per cent involved confrontation and additional offences involved the presence of a resident, a further 20 per cent, and thus the potential for violence. In the Toronto sample, two cases out of 116 involved physical injury, including an attempted rape (Waller and Okihiro, 1978, p. 32). If this proportion held for the general population of England and Wales, it would represent 5,000-10,000 attempted rapes a year.

Emotional Trauma

The emotional trauma or 'invisible wound' is the least evident and understood, but often the most brutal effect of crime, not only on the direct victim but on the victim's dependents and friends. Further, it is a major part of the anger that is felt by some victims. It may also be the source of much of the fear and anger felt by the general public in response to crime. There are now several sources of information about such trauma (see, for instance, C.C.S.D., 1985).

The fear, anger, revulsion, and immobility, that consumes some victims after a sudden arbitrary attack threatens their person or their security, are a subset of the 'post traumatic stress disorder', which is now included in the Diagnostic Standards Manual of the American Psychiatric Association. This syndrome is descriptive, but identifies the effects that one might expect from extreme stress on ordinary persons. The World Federation for Mental Health has successfully got the United States President's Task Force on Victims of Crime to recognise this disorder (U.S.A., 1982).

At first sight, many people, particularly men, are surprised that burglary can generate a state of shock. However, several authors (Waller and Okihiro, 1970; Bourque, *et al.*, 1978; Maguire, 1982) have shown that some victims and their families suffer heightened fear, guilt, and anger. In their study of victims located from police files, Bourque, *et al.*, (1978, p. 30) showed that more than 70 per cent of the victims experienced crying, shaking, and fear. In addition, 20 per cent recorded physical upset and memory loss, while 5 per cent recorded longer term residual effects.

The reaction to the event is also influenced by the life situation of the victim. A person, whose spouse has just left them or who is under severe stress from employment problems, is likely to develop more distress than the person whose self-image and feelings of security are better established.

Even though it is proportionately infrequent, this trauma from residential burglary is one of the most frequent and forgotten in criminal justice. If 'serious' trauma is defined as that which occurs when the victim experiences sleeplessness, nausea, and a long term inability to enter rooms of the residence, then 'serious' trauma will occur in approximately one in 20 cases (Maguire, 1980, p. 263; Waller and Okihiro, 1978; Bourque, et al., 1978).

For the statistician, one in 20, is so rare that it can be easily overlooked. However, this would mean approximately 25,000 households in England and Wales where one or more persons would be suffering serious trauma. Further, the trauma can last a number of years, so that there may be 50,000 or more persons suffering in this way. Perhaps most important, trauma occurring with aged victims can precipitate leaving a home, where they have lived for many years and which had become their reason to live. Thus it can lead to premature death.

Anger

Although anger is a central part of the emotional reaction to crime, it must be singled out for special treatment, because it is so crucial to our systems of penal justice. It is anger that underlies the desire for personal revenge. When people are threatened, they react by wanting to eliminate the threat or attacking the person who is threatening. Often they do this without regard for whether the reaction is in their best long term interests. It is this desire to do harm to the attacker or the offender, that is the basis for revenge.

Waller and Okihiro (1978, pp. 38-9) show that two out of three burglary victims who experience extensive vandalism in the house wanted a prison sentence for the offender, compared to one out of three of the others. In the context of the general findings, this desire for prison reflects a reaction to irrational and potentially violent behaviour of the offender. For instance, respondents wanted sentences that were substantially longer for the residential burglary involving an offender with previous convictions for assault, than for the offender with none (Waller and Okihiro, 1978, pp. 92-3).

Not all victims react to burglary with anger after the initial shock and many are satisfied with the court sentence. Several authors have shown at least half of samples of victims to be satisfied with the court sentences (Waller, 1982b).

Family, Friends, Helpers

The families, friends, and helpers of the victims of crime have been ignored to an even larger extent than the direct victim. The

government surveys do not include any questions relating to the effect of burglaries on the spouse of the respondent. As important as the adult family members, the children of victims are usually overlooked. In Toronto, it was found that a significant number of the children suffered from problems in sleeping and going into rooms (Waller and Okihiro, 1978). Further services are rarely available for family members.

Friedman, et al., (1982) has shown the extent to which victims turn not to official agencies, but to family and friends, who then develop the emotional reactions that were discussed above for the immediate victim. Friedman (1982, p. 14) reports that 80 per cent of supporters suffered some form of ill ease from helping the victim. For some this meant fear or suspicion, for others feelings of insecurity and vulnerability. The discomfort was greater, where the victim was in more difficulty.

It is not known what effect post traumatic stress from residential burglary can have, but it seems likely that it will contribute to marital difficulties and so separation and divorce. Also, it is likely to lead to employment and other personal difficulties.

Police, Courts, and Corrections

Victims tend to be satisfied with the police response in about two thirds of the cases (Waller and Okihiro, 1978, p. 46; Drennan-Searson, 1982, p. 133). Those dissatisfied cite the lack of follow-up in most instances, though delays in getting to the scene and lack of a thorough investigation are also mentioned.

Case studies suggest that the police can often exacerbate the difficulties of victims by remarking on precautions that the victim might have taken. This touches one of the strongest effects of trauma, which is the feeling of guilt. Also, the police suggest that the offence was not as bad as it might have been. This makes the victim feel invalidated, or worse, increases the fear, as they are already afraid of what the offender might do.

Victims are rarely given information on social, legal or practical services that they could use. Victims often are too confused to ask for these, though some time later, they realise how helpful the services could have been.

Victims want information on who the offender was and are concerned about the progress of the police investigation. Also, they want to get their property back as soon as it is recovered.

At the time an offender is identified, victims may get concerned about whether the offender is going to retaliate because they called the police. They want to know about the bail hearing and sometimes present views. They express considerable surprise to find that an offender, who has just been caught, has just been released.

At the court stage, the victims have two levels of problems. Firstly, they are unfamiliar with the courts and want information on where to go and what will happen in the court proceedings.

Secondly, in the few cases of burglary where the victim wants to be present, the victims are unable to present their views on sentence. Some jurisdictions allow the victim to present arguments for the payment of restitution or compensation from the offender, while others allow a probation officer or victim advocate to present a 'victim impact statement' (discussed below).

Victims have also been asked about their views on restitution and compensation from the offender (Vennard, 1978; Waller and Okihiro, 1978; Galaway, 1984). In sum this is a key element for them. For many, their major interest is the return of their property or restitution from the offender.

Community Services and Insurance

At the present time, little is known about either the need or the quality of services in the health and welfare domains for the victims of residential burglary. Survivors of murder victims are often very critical of the psychiatric profession's sensitivity to their needs. One study in Ottawa of robbery, burglary, and assault victims (Drennan-Searson, 1982), found the victims dissatisfied with the services from hospital emergency rooms.

In England and Wales, Canada, and some jurisdictions in the United States of America, there is some form of universal health insurance which could cover some of the expenses of psychiatric care in serious cases of post traumatic stress disorder. In addition, if the victim or a member of the family was unable to go to work, there are various types of social assistance available.

Insurance is an obvious service for the victims of burglary. Unfortunately, it is not realised that more than one out of three victims are not insured. Often, this is because they are unable to afford the premiums, though sometimes it is inertia or lack of belief in insurance. In some places in the United States of America, the risks of burglary are so high that the private

insurance companies are not prepared to take the risks. In fact, the United States Congress has provided insurance to residents of the high risk areas at a reasonable rate.

In Ottawa, 29 per cent of victims who claimed from their insurance company were dissatisfied because the service was so slow and the high deductible prevented full compensation (Drennan Searson, 1982, p. 134).

There are a variety of specialised and general services that are used by crime victims. The specialised services include victim support units, compensation, restitution, mediation, and crisis intervention teams. The general services include locksmiths, carpenters, hospitals, legal aid, crime prevention, police, and welfare. The striking impression left from reviewing the extent to which these agencies meet the needs of victims (Waller, 1982b) is that:

1. the services specifically committed to helping crime victims are inadequately financed. Where they do exist, they are concentrated in urban areas. Further, they suffer from a lack of professionally trained staff and extremely low wages; and
2. the general services are well financed, well established, widely available, with well paid staff, who have had substantial training. However, these services are often insensitive to victim needs, particularly the emotional ones.

RESPONSES

The above discussion has identified the needs of victims of residential burglary. In the next five sections, the various ways that these needs can be met have been grouped.

Police Patrol

The police are the agency that is best situated to initiate crisis support to victims. Because they are often the first official to talk to the victim of crime, they are able to reassure and refer the victim to the appropriate services in the community (where they exist). So the preliminary training of all police officers should include how to reassure and refer victims, so that victims receive not only emergency medical care, but information and social support.

The police could improve their support for crime victims by requiring the responding officer to provide the victim with a card that identifies the key telephone numbers of services such

as the local distress centre, locksmiths, criminal injuries compensation, the crime prevention unit, and a service that could help or refer the victim to other community services. Ideally, this card would identify both the file number of the case as well as the name of the police officer.

The Edmonton Police are assisting 3,000 victims a month through such procedures, which are supported by a police victim services unit. One indicator of the effectiveness of this type of outreach and information program is that they doubled the claims to the Alberta Compensation Board in the first year of operation.

Victim Support Centres

Every community could identify or organise a crime victim support centre (Reiff, 1979). This centre would have two roles. Firstly, to work with individual crime victims to ensure they get appropriate assistance from available services. Secondly, to engage in training, sensitising, and working for improvements to those services.

The agency could provide support and assistance for the victim to obtain help from agencies such as the hospital emergency room, welfare, legal aid offices and the police. This agency would also work with the police to identify cases where victims were likely to need 'outreach' services. Many victims do not feel, and are not aware, that they can be helped. A telephone call, letter, or personal visit can encourage victims to seek help and explain what services are available.

The second function of this agency would be to improve services for crime victims. For instance, training is needed for police officers, hospital workers, and related community agencies. They could promote better co-ordination between existing services and make the public more aware of existing services and the needs for improvements.

The major advantage of locating the agency in the police department is that it facilitates access to police records and other resources such as staff, cars, and radios. Also, if the unit reports directly to the chief, it means that the training of patrol officers is more likely to take place as well as the necessary changes in procedures. For the police, it is also good public relations.

The advantages of locating it outside the police is that it can often develop more flexibly, use existing community resources, and be an effective advocate for victims in the community. If it is located in the probation office, victim-offender reconciliation is facilitated.

General Services

There are a variety of services, to which victims need access. Where a door has been damaged, there is a need to get a carpenter or locksmith. The Victim Service Agency in New York has established its own program - SAFE - of locksmiths, who are available on 24 hour call for elderly victims of residential burglary. For this, the Victim Services Agency organised special training programs for the locksmiths. In theory, the tradesperson fixing the door is an ideal counsellor to help victims recover from any trauma.

Hospital emergency rooms, local doctors, and psychiatric services could be better organised to assist victims to recover from the 'post traumatic stress'. These services need to be available for the family, emergency room workers, and police, who deal with severely traumatised victims. One specific way to achieve this is to make the treatment and management of these problems part of the basic exams for doctors, nurses, and health workers.

Police Investigation and Prosecution

Victims appear to have several needs from the police investigator and prosecutor. They need to be kept informed of the progress in the investigation; they want to recover their property as soon as the police identify it; they sometimes want to present views at the bail hearing or talk to the prosecutor before the trial; and they want separate waiting rooms from accused persons.

Police procedures could require property to be returned to its owner on recovery; this may need to be combined with the development of procedures for photographing the victim with their property. Further, detectives could be required to inform the crime victim from time to time of action or legitimate inaction on an investigation. This can be done relatively easily through the use of form letters and word processors to make the letters individualised.

In the United States of America (N.O.V.A., 1983 and 1985), many of the victim/witness programs at the level of the prosecutor and some of the victim rights legislation set guidelines as to how the police should deal with these problems.

Agencies like the Victim Service Agency in New York City or Operation Turnaround in Milwaukee have usually been started as a way to encourage more victims to appear as witnesses. The projects have started in the prosecutors office as a way of interceding with employers and explaining the functioning of the court system. Although they start with a system interest, their employees are often committed to helping the victims themselves.

Cronin and Bourque (1980) provide an overview of the evaluation of these programs showing that little is known about their assistance to victims, though they do save considerable police and court costs.

These agencies provide significant savings in police overtime by taking responsibility for scheduling police witnesses as well as victims and other civilian witnesses. In New York, the victim service agency in 1978 avoided over \$8 million in police overtime, thus providing savings that exceeded its own budget for all activities by \$2 million.

Justice and Reconciliation

There are three main factors that contribute to a sense of justice on the part of victims: reparation from the wrongdoer, the sentence, and recognition of their interests.

Criminal courts in Anglo-American jurisdictions have traditionally ignored the victims of crime. Judges can play a leadership role ensuring natural justice for victims of crime. One way to encourage this process is for judges to meet with representatives of victims as part of their regular sentencing workshops. In the United States of America, the National Conference on the Judiciary concentrated a full week to developing a statement of 'Recommended Judicial Practices' (United States Department of Justice, 1984). These practices were prepared by two judges from every state, some victims, and victim advocates. These practices should be part of the compulsory exams for every lawyer aspiring to be a judge and become part of the basic material used by sitting judges.

Governments - federal and/or state - could enact legislation to help crime victims recover civil damages from offenders. Judges could be encouraged to consider restitution, by requiring written reasons where it is not ordered. 'Son of Sam' legislation could be enacted to enable the crime victim to recover civil damages from an offender, who gains royalties or equivalent income from the sale of books, films or other publicity arising out of the crime.

Typically the victim is not present in court and has no way of making their views known. One method for doing this has been adopted in 14 states in the United States, as well as their federal system. This is the 'Victim Impact Statement', which is a report on the impact of the crime on the victim. It contains 'verified' information stated in a non-argumentative style assessing the financial, social, psychological, and medical impact upon and cost to any person who was the victim of the offense committed by the defendant. The report shall also include

a statement of any need of the victim for restitution and any such other information as may be required by the court' (Canadian Criminal Justice Association, 1985; N.O.V.A., 1985).

Secondly, some victims feel that the length of sentence is a key indicator of the respect that society shows for them. It appears that the effect of the criminal justice system is to allow the victim not to face their own tragedy, because the offender is guilty, and the act occurred as a result of someone else other than the victim. It is important therefore that the sentencing process shows caring and respect for the tragedy of the victim, but does not mislead the victim into thinking that the state's punishment will repair the harm done to the victim.

The court process needs to encourage this process of reconciliation as much as possible. Legislation should be encouraged that allows prosecutors to refer victims and offenders to mediation processes. Further, the judge should be looking for sentence dispositions, which support reconciliation between victim, offender, and community. It is important to the victim, that the process be one that allows feelings to be expressed.

The United States Presidential Task Force on Victims of Crime (1982) has recommended a constitutional amendment to give victims a right to attend and present views at all critical stages in the criminal justice process. These seem to include bail, trial, sentencing, or parole hearings. Whether the victim attends or not, a victim advocate or probation officer could be required to provide the court with a victim impact statement, which provides a non-argumentative assessment of the emotional, physical, and financial effects of the crime on the victim. Also, the advocate could keep the victim informed of the proceedings.

CONCLUSION

If the community chooses to, residential burglary can be reduced. That will mean systematically implementing the programs that deal with its causes.

Firstly, these programs are those that reduce opportunity for the occasional offender by helping residents make their homes look lived in and in co-operating with neighbours to look after each others' homes.

Secondly, it must also involve crime prevention through social development to reduce the root causes of persistent and serious offending by concentrating on early childhood upbringing among socioeconomically disadvantaged families.

Thirdly, it must involve the organisation of police operations to intervene with fencing rings, but must also ensure that the criminal justice intervention is not just putting the offender on ice but also will lead to change.

The victim must not be forgotten in this process. The funds are not large to implement the five initiatives focused on the police patrol, a victim service unit, general services, police investigation and prosecution, and justice and reconciliation. However, they do require managers to make personal commitments. If police chiefs chose to emphasise assistance to crime victims as one of their ways of responding to the community, many of the necessary changes in attitudes of both police officers and community workers would follow.

The costs to implement community crime prevention grounded in research are small. A 50 per cent reduction in burglary rates can be achieved, maintained, and evaluated for the price of less than one per cent of the police budget. Crime prevention through social development can be encouraged for small amounts of money, though effective detached workers may require as much as two per cent of the police budget. The criminal justice activities are much more expensive, but if the serious and persistent offender is to be stopped then resources must be targeted in this area.

The cost to implement victim services are also equivalent to substantially less than one per cent of the budget of a typical police department. Changes in police procedures require only the printing of the card, modification of forms, and the commitment to make it happen. Victim support centres require the funding of a few core staff or the redeployment of existing staff.

In sum for substantially less than the inflation increase in the police budget, a measurable reduction in burglary as well as more recognition of the dignity of victims can be achieved.

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THE SOCIOLOGICAL AND PSYCHOLOGICAL IMPACT

OF BURGLARY: A PRELIMINARY

EXAMINATION OF BURGLARY IN TOOWONG

Dr Paul R. Wilson
Associate Professor of Sociology
University of Queensland

INTRODUCTION

Research on the victims of crime has generally concentrated on the effects of criminal violence such as in rape, incest, and murder. Generally such research has centred on surveys which focus on the probability of being victimised (Komesar, 1973), the effects of violence and crime on samples of victims (Wilson and Brown, 1973), or, the fear of crime generated within the community as a result of specific crime 'waves' (Windschuttle, 1979).

Most of this research on victims of violence uses as its methodological tools quantitative survey research. Involving large samples, fixed-alternative questionnaires, and computer analysis of data. While there are important findings generated from these studies they often ignore more common forms of criminal behaviour which, while less dramatic, still significantly effect many people in the community. In addition, such research is often dominated by a zeal for methodological sophistication and the formation or categorisation of typologies of victims (Avison, 1978). What often is lost in this analysis is an understanding of the personal and social effects that occur to victims of non-violent criminal activity.

This paper adopts a qualitative, more personal approach to victimology relying as its central feature on a totalistic or phenomenological approach of the victim's experience. The data is generated from interviews conducted by the author with victims of burglary in the suburb of Toowong in Brisbane. In addition, the author has been the victim of two attempted burglaries, and his own experiences have been correlated with those of other victims.

This paper will begin with a description of the Toowong area and the characteristics of the suburb. It will continue by discussing the nature of burglary in Toowong and the police response to break and enter offences. Then, a description of the effects of burglary on the victims will be outlined and a categorisation of these effects outlined. The paper will conclude by suggesting possible social planning and criminal justice responses to burglary.

THE TOOWONG AREA

In socioeconomic terms, Toowong is much like the rest of suburban Australia. It is largely middle class, although there are pockets where the residents are towards the upper level of this group residing near the Brisbane River and others who are very much working class living closer to the city (Job, 1984, p. 12).

Toowong, like so many inner-city Australian suburbs, is undergoing quite radical social change. The old sometimes stately homes of the past are being torn down to be replaced by medium rise buildings catering for middle class persons. The units sell for between \$60-85,000 with the occasional block appealing to higher income earners and selling for between \$100-\$150,000. However, many of these units are for capital gain or rental purposes. Approximately 70 per cent of all accommodation in the Toowong area is rented. The pace of development is considerable in the area and its physical characteristics are changing rapidly, especially with the expansion of office blocks, making Toowong a secondary business district for Brisbane.

BREAK AND ENTERS IN TOOWONG

Three cases that the writer is familiar with will illustrate typical patterns of break and enter in the Toowong area.

1. A single mother, her fourteen year old son, and her own mother were watching television at about 8.30 p.m. one night. She thought she heard a noise in the back of the house but ignored it, believing that she was 'hearing things'. Upon retiring to bed she found her bedroom ransacked and the contents of her purse and jewellery box stolen. The effect of having her house entered while she was in it has, in her own words, 'made me very nervous', and she is seriously considering selling and moving to another area.
2. A woman arrived home after a four-week holiday, left her house the following morning at 9 a.m., and returned home an hour later to find it vandalised. Paint and excreta were sprawled all over the walls, the contents of cupboards and drawers were emptied, and food was thrown randomly around the house. She too is considering leaving the area but, in the meantime, is borrowing money to install security devices such as grills and burglar alarms.

3. A single man has twice found evidence of attempts to break into his ground-floor unit. On the first occasion, marks on his door indicated that a 'jemmy' had been used to pry off locks on the door. On the second occasion, fly screens were removed from his bedroom window, and attempts made to remove the glass windows. This man seriously considered moving to another area but financial constraints did not allow for this option. He says that he sleeps fitfully as a result of these events, waking up during the night whenever he hears a sound of any sort.

Between June and November last year, police estimate that 110 residents in the western suburbs of Brisbane, where Toowong is situated, have had their homes broken into. Close to half a million dollars worth of video recorders, jewellery, televisions, and other items have disappeared in that time. Most disappeared during the day between 8 a.m. and 4 p.m. with the majority between 10.30 a.m. and 1 p.m. ('Police Launch Blitz Plans', 1985). In most cases entry to homes has been gained by forcing sliding glass doors open or using screwdrivers, crowbars, or multi-grips to wedge windows apart. Police believe that four gangs are organising most of the break and enters in the western suburbs, operating independently of individual persons, often young teenagers, who also have found lucrative pickings in the area.

In recent months, however, a concentrated police operation has effectively reduced the rate of break and enters in Toowong. A combination of increased police patrolling (including outside police units brought into the area), plain clothes officers working undercover, and a large publicity campaign concerning burglary in the western suburbs appears to have worked. The number of reported break and enters dropped in Toowong from about 35 per week to around five a week (Dallow, 1985). These trends have continued up to the present time although it is expected that break and enter offences in the area will rise again during the school holiday period (Dallow, personal interview, 1985).

REACTIONS TO VICTIMS: A PRELIMINARY TYPOLOGY

What follows consists of a description of the stages that victims pass through and experience after becoming a victim of a break and enter offence. The present writer has supplemented his own experience with that gained by interviews with other victims in the Toowong area. It should be noted that these stages represent a typology only. It is not assumed that all victims pass through every stage or experience, in the same way, the effects of victimisation.

Stage One: Personal Violation (1 day-2 weeks)

This stage lasts several days and includes emotions of fear, disgust, and very commonly, a sense of personal violation. Most victims internalise the feeling of having their 'private space' violated in very emotional terms, and often obsess about this violation more than they worry about the goods that they have lost. At the same time, the possible vandalism of their property and the loss of possession adds to their feelings of victimisation. If respondents still feel invulnerable, the break and enter experience soon shatters this illusion.

I always felt I could look after myself and that I was immune from physical danger. I never get into fights or anything like that and was never warned about my safety. But all that's changed with the house being knocked over. I realise that even I could be hurt if someone broke in (here) when I was asleep. It's made me aware of my own vulnerability (male, aged 40).

Stage Two: Defensive Reaction (2 days-3 weeks)

During this stage an attempt is made to make one's house or unit more secure by both physical and psychological means. Often new locks replace old locks, extra care is taken to close windows and doors, and the installation of burglar alarms and other security devices are contemplated.

Confidence in protecting oneself and one's home is enhanced by frequent discussions with neighbours and friends, suggestions for increased security, and contact with the police. A feeling of 'community' or 'neighbourhood' emerges with increased interaction, and the sense of personal violation, fear, and depression that existed in the first stage, is lifted.

I felt exhilarated to start with. There we were all standing out on the footpath talking with each other like we had been friends for life. We never used to even say 'good morning' but here we were chatting away as though we were members of one big happy family (female, aged 38).

Stage Three: The Return of Fear (4-7 weeks)

After about five or six weeks victims often find out that the offender has not been caught by the police. Victims begin to realise that the burglar might strike again and that there is little the police can do to protect them. Resignation about living in a vastly different neighbourhood than perceived before sets in and often, the increased security that occurred in stage

two is reduced. As with other stressful events, depression can occur leading to inaction. A philosophical view of the world emerges that assures that individuals have no control over their own destiny and are in the hands of vast social forces beyond their control.

I don't know what the world's coming to. Toowong never used to be like this. You could leave your pot plants on your balcony and your doors open and feel safe. It's not like that anymore. There's not much I can do about it. No one takes any notice of me. I guess I'll get by (female, aged 60).

Stage Four: Cynicism and Adjustment (8-10 weeks)

Some victims become cynical towards the police when, after two months, they do not receive any information about their case. Delays in successfully processing claims through insurance companies add to cynicism about authority and social institutions generally. Victims begin to realise that they may have to live continuously with a fear of crime and develop a 'Hobbsean' view of the social environment: the world becomes less joyful, social relations more strained, and people more defensive in their behaviour generally. Juveniles especially, are looked on with suspicion, and adolescents are seen in a less favourable light than they were before.

However, victims venture out at night more than they did in earlier stages, and they are less likely to discuss the burglary with friends and relatives than occurred in the first three stages.

I can't blame the police really. There is not much they can do about things. We will just have to make do with things as they are and not rely on anyone else. I guess I will have to be more careful than before but I'll get out in the future (male, aged 55).

Stage Five: Partial Disintegration (3-18 months)

This stage generally only occurs if a household is burglarised again. If another burglary happens the effect can be devastating, especially amongst older victims who are living alone. Serious consideration is given to upgrading ones place of abode but, if this is not financially possible, deep depression often sets in. The elderly occasionally state that they are less concerned about death and dying than they were before because they see less to live for. It is possible that this psychological depression is translated into physical symptoms but research in this area has yet to be conducted.

Those who cannot, or will not, leave their home become increasingly more cynical about the world generally and, politically, become more conservative. Liberals, in terms of their attitudes towards crime and punishment, are likely to change to 'law and order' advocates and demand harsh, sometimes barbaric punishments, towards criminals. Enjoyment of life and social relations diminishes considerably during this period.

I don't care what happens. Things were better in the old days when people cared for each other. The developers knock down houses and put up little square boxes which all look the same. No one speaks to anyone. I've had a good life so I don't really care if I die: there's not much to live for (female, aged 68).

I'd lock the bastards up and throw away the key. God, I used to think we should be humane to these people (criminals) but not now. Our life is hell and my wife is scared all the time. It's about time people like you (the author) thought more about the victim (male, aged 65).

THE VICTIM AS A SOCIAL ROLE

The stages described in this paper are based on victims of burglary in the Toowong area, but bear at least some resemblance to the effects of burglary described in the United States (Paap, 1981) and Canada (Waller and Okihiro, 1978).

At least in industrialised western societies victimisation can be viewed as a social role incorporating a specific identity that involves special relationships with other people. In one particular case neighbours who had previously been fighting became quite friendly as a result of burglaries carried out on both their households. As one of the two neighbours put it:

It is almost as though we were blood brothers. We had shared something in common which almost wiped out the ill-feeling I previously had over noisy parties, screaming cats, and personal abuse.

A specific set of norms goes along with being a victim. It is appropriate to show anger immediately after the incident: 'checking' behaviour is almost demanded by family members and, in the case of victims who live close by, is ritualised by such actions as walking around respective properties at the same time of the night. When a person reports to neighbours and colleagues that they have been a victim of burglary, other people respond in what one writer has called a 'repetitive and predictable' manner (Paap, 1981). One Toowong victim said that neighbours kept asking

THE PSYCHOLOGICAL AND SOCIAL EFFECTS OF BURGLARY:

Time Sequence of Possible Effects

<u>Time Sequence</u>	<u>Psychological Effects</u>	<u>Social Effects</u>
<u>Stage One</u> Personal violation (1 day - 2 weeks)	Fear Disgust Sense of personal violation	Checking goods missing Checking doors, windows, entrances Initial approach to neighbours
<u>Stage Two</u> Defensive reaction (2 days - 3 weeks)	Sense of 'community' restored Increased calmness through action Sense of control partially restored	Continuation of check- ing behaviour Increased contact with neighbours, friends Attempts made to improve security
<u>Stage Three</u> The return of fear (4 - 7 weeks)	Fear Depression Anxiety Pessimism	Isolation in home Relaxation in security Reduction in social contacts with neighbours and friends
<u>Stage Four</u> Cynicism and adjustment (8 - 10 weeks)	Cynicism More paranoid view of world Suspicion	Suspicion of strangers especially juveniles Increase in social outings Increased reduction in social contacts
<u>Stage Five</u> Partial (3 - 18 months)	Confusion Deep depression Personal disintegration	Isolation in home Increase in defensive behaviour Large reduction in social interaction Movement away from the area

her 'how much they got?', 'how were the police with you?', and 'how did you feel?'.

The social role of a victim of burglary is assumed to have changed ideological and political views of the world. In Queensland, this author's essentially liberal views on crime and criminal justice are reasonably well known, and strangers and acquaintances made comments such as: 'It's all this permissiveness that's leading to these things happening', and 'I don't know what the world is coming to'. Another suggested 'changing my half-baked ideas on criminals: you do-gooders don't know what you're talking about'.

The role of victim led to two contrasting experiences. On the one hand, there were feelings of powerlessness, cynicism towards the area generally, and fatalism. On the other hand, the shared experiences with other victims, neighbours, and friends often made victims feel 'very special', part of a minority group who had been through a slice of life, and who knew something that others did not know. In this sense the feelings of experiencing something special generated in-group solidarity typically found amongst returned service personnel or family court warriors.

The role of a break and enter victim involves negative aspects which are characterised by pessimism, depression, and powerlessness, but there are also some positive features. Provided victims do not pass through stage five (partial disintegration) and become chronically depressed, they can display characteristics of independence, resourcefulness, and determination to protect oneself and one's family that were not so evident prior to the burglary. In the process of developing these positive attitudes, however, victims often become more cynical about the world, withdrawn from normal social interaction, and more family and self-centred.

CONCLUSION

There is no suggestion here that victims of break and enter offences suffer as adversely as do the victims of rape or other forms of criminal violence. However, it is suggested that Australian criminologists have often assumed that victims of minor crimes are effected in insignificant ways and are therefore not worthy of systematic research and study.

Having been a victim and together with those experiences of other persons in the Toowong area, suggests that break and enter victims are both psychologically and socially effected in adverse ways by burglary. Essentially, victims become depressed, cynical, and self-centred, reducing their level of social interaction and perceiving the world as essentially alien and hostile.

Yet, as Paap (1981) has correctly pointed out, there is a series of paradoxes that accompany the role of a break and enter victim. To begin with, while victims become increasingly possessive towards their material goods, they also psychologically separate the owner from the goods themselves as a result of realising that there are people 'out there' who steal possessions belonging to themselves and others.

Paradoxes abound not only in relation to property, but also in regard to close neighbours and friends. While the burglary experience forces victims to join with neighbours, for example, for emotional support and mutual security, there are also pressures on victims to withdraw from social interaction and to jealously protect their private goods and personal space.

It is indeed ironical that in a society characterised by massive social and technological forces that sweep people along with tidal wave ferocity and often deny them the opportunity to control their own destiny, the break and enter experience pushes against these forces and often motivates victims to take care of their own life and possessions. Paradoxically, this attempt is often accompanied by using alarms and other security devices: part of the very technology that leads to feelings of powerlessness in the first place.

While the psychological and social effects outlined here are essentially those applicable for middle class citizens, it should not be forgotten that break and enter offences probably effect working class people even more severely. Those living, for example, in poorer Brisbane suburbs are less likely to be insured, more likely to be economically effected by the loss of property, and less likely to feel that their complaints will be investigated by the police (Wilson and Brown, 1973).

Crime prevention policies such as neighbourhood watch schemes, are probably less likely to be effective in poorer areas. Even in Toowong it is almost impossible to imagine how, in such a mobile, essentially short-term rental accommodation area, community or neighbourhood watch schemes could work successfully. There is really no 'community' for people to watch over.

Additional police patrols and the introduction of more efficient police services are, as in the Toowong area, obviously essential and, at least in the short-term, effective. However, it is doubtful whether intensive police patrolling can be maintained on a long term basis so that the prognosis for long term reductions in break and enter offences is far from being optimistic.

This fact though should not stop police from considering the introduction of unit-beat policing systems in high crime areas and from improving their methods of responding to victim calls for assistance and providing them with adequate feedback on the results of their inquiries.

However, longer term solutions to the growing problems of burglary must be seriously considered, including policies that reduce youth unemployment and inequality generally, and issues relating to unplanned urban development specifically. In regard to this last point it is quite apparent that city council and local government court authorities rarely consider the crime generating tendencies of massive urban renewal.

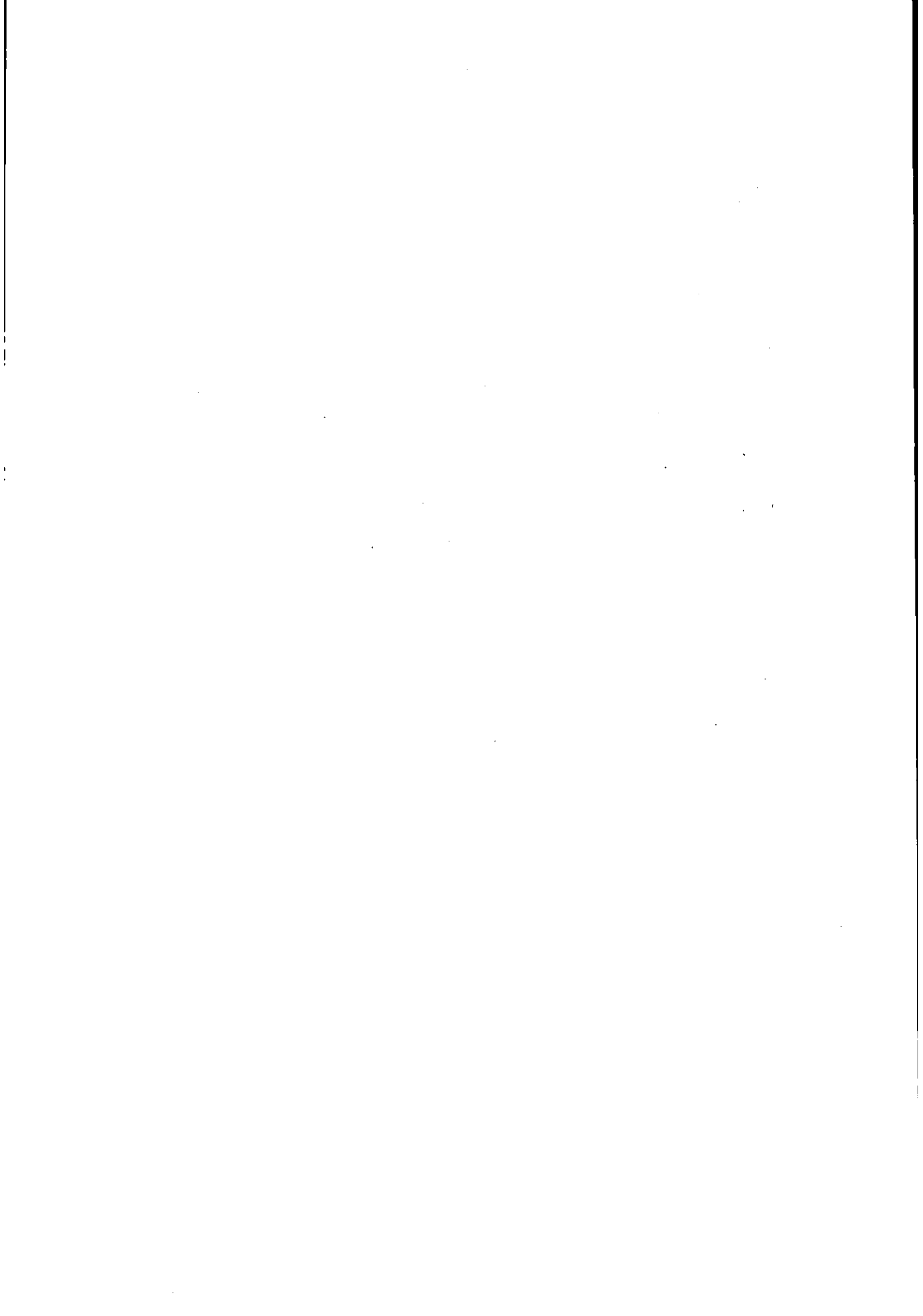
In Toowong, the introduction of rental unit accommodation on a large scale has severely changed the nature of the area. The old sense of community that previously existed has gone forever as families and their children flee to the outer suburbs. Recent local government court decisions and development plans mix high-rise buildings with medium density dwellings in a haphazard pattern that increases traffic congestion, alienates people from their environment, and generally depersonalises the area. New shopping areas currently being built in Toowong are designed as concrete mausoleums that lack both character and a sense of community.

Despite an extensive amount of literature relating crime-prevention to environmental design (Newman, 1972; Wilson, 1976), it is apparent that no controls have been placed on developers in planning residential buildings or commercial establishments that are likely to create 'defensible space' or other crime-reducing characteristics. Unit blocks are often without adequate lighting; landscaping or fencing is often absent; 'symbolic' barriers to intrusion, such as extension of building structures, changes in texture gradients between public and private walkways, and similar layout devices which would improve the social environment, are missing.

Burglary is a crime that will adversely effect more and more people in very personal and quite damaging ways. It will add immeasurably to the sense of alienation and purposelessness that many men and women experience as a result of contemporary urban living. The reduction of this crime, and its subsequent effects, are not solely the preserve of social control agents such as police forces, private security experts, or insurance companies. There is much that local councils and state governments can do: by the inclusion of crime-reducing features in the design of suburban developments; by the judicious use of parks and other public spaces; and by strict controls over developers to ensure that private wealth does not lead to public squalor.

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NEIGHBOURHOOD WATCH PROGRESS

IN VICTORIA

Sergeant C.K. Coster
Operations Department
Victoria Police

Necessity and desire appear to be creating a climate in which the police can gain additional public support; if the police make the effort. A starting point is an energetic neighbourhood watch program, for even people who are antagonistic toward the police or who 'don't want to become involved' readily perceive the virtue of protecting their own homes and families.

Police Chief, Editorial, February 1983.

INTRODUCTION

The current epidemic of residential burglaries in Victoria is not peculiar to this state. It is a problem common throughout Australia and most overseas countries. The question is: What can we do to halt this escalation of household burglaries and other preventable crime? Part of the answer lies in utilising the most effective, and as yet largely untapped resource available, the community itself. Overseas experience has shown that the community is concerned about the alarming rise in crime and is willing to participate with police to control the problem. The neighbourhood watch programs are designed to involve the community and police in a joint effort to combat the presently unacceptable crime rate, and it works.

Burglaries in Victoria

Between the years 1977 and 1983 reported burglaries in Victoria increased at an average annual rate of 11 per cent to 78,573 in 1983. During 1983 burglaries committed on residences rose from 36,750 to 46,715; a 27.1 per cent increase in one year. The first quarter of 1984 showed an increase of almost 50 per cent in burglaries over the corresponding period in 1983.

Clearance rates for these offences have decreased from 20.6 per cent in 1977 to 12.2 per cent in 1983. Property stolen in residential burglaries for 1983 is estimated to be \$46,000,000.

Unfortunately statistics provide only part of the picture. What must also be considered are factors which are difficult to measure: the emotional trauma to victimised families; and the fear of crime which is felt by a majority of people.

Obviously something must be done to protect the vast majority from the actions of a criminal minority. It is beyond the strained resources of the Victoria Police to meet this challenge through traditional policing methods. It is also highly unlikely that the police will receive additional resources and increased powers sufficient to reduce significantly the problem. The most viable alternative available is the tried and proven strategy of formalising active public support through neighbourhood watch programs.

NEIGHBOURHOOD WATCH PROGRAMS

Neighbourhood watch is a community-based crime prevention program. The purpose of the scheme is to reduce the rate of crime, particularly residential burglary, by involving the community in active crime prevention.

This is achieved by residents organising into neighbourhood groups or zones, and through a process of crime awareness education, increasing their resistance to crime by methods that include property identification, household security, reporting suspicious activities, and other means aimed at reducing preventable crime in their areas. The essence of the program is to reduce the opportunity for offenders to commit crime. The overseas experience clearly shows that not only burglary but other property crime, and in some instances crimes against the person, can be reduced dramatically by the proper implementation of neighbourhood watch. The scheme has been operating in the United States for more than a decade, and more recently in Canada, Britain, and other countries. Numerous examples of the effectiveness of neighbourhood watch have been reported, with some schemes claiming highly successful residential burglary reduction rates (Detroit down 61 per cent, Seattle down between 48 per cent and 61 per cent, St Louis down 25 per cent).

These figures are not representative of all neighbourhood watch programs, but do indicate the success rate possible.

Other localities show varying levels of the scheme's effectiveness. Major factors are the manner in which neighbourhood watch is developed and implemented by the various police agencies, and the police and community commitment to the program.

DEVELOPMENT IN VICTORIA

Over the years there have been several attempts to implement neighbourhood watch in Victoria usually instigated by service clubs or individuals who have viewed the operation overseas and sought to introduce it here. None of these previous attempts has met with any real success.

During 1983, the Victoria Police Force, through its Police/Community Involvement Program based at Frankston, developed and introduced a pilot project in the Kananook area of Westernport Police District, to adapt and test in practice, the concept of neighbourhood watch. The pilot scheme also aimed to provide a planned model of burglary control for wider application in Victoria.

An important aspect of the pilot scheme was the commitment to the project by participating local residents. A local committee, formed following a public meeting in the Kananook area, contributed greatly to the development of the program. This included assistance with logo design, funding, and dissemination of information.

This joint effort by police and the community has resulted in a neighbourhood watch program which meets the objectives of both groups.

Implementation

In December 1983, a decision was taken to implement the program on a selective basis throughout the metropolitan area. In line with force policy that community involvement policing is a generalist responsibility, members from district Crime Car Squads were selected and trained for the task of implementing neighbourhood watch in their respective areas. Prior to the public launch on 14 March 1984, briefing sessions were held throughout metropolitan police districts to inform operational members about the program. In all, 2,000 police attended briefing sessions.

Implementation Criteria

Responsibility for selecting appropriate areas for the program rests with officers in charge of districts. The criteria are:

- (a) a defined area comprising approximately 600 residences;
- (b) an identified high incidence of burglary offences; and
- (c) a high degree of public support and interest in the program.

POLICE ROLE/TIME COMMITMENT

Headquarters Staff

The neighbourhood watch program is co-ordinated on a statewide basis by a central project team based at police headquarters. This team is under the command of an inspector, with a staff of two sergeants and two senior constables. The inspector, one sergeant, and one senior constable have a part time commitment to neighbourhood watch. One sergeant and one senior constable have a full time responsibility.

Operational Staff

Neighbourhood watch is the function of operational police officers. It has been developed in Victoria using exclusively operational police members implementing and maintaining the program. Each of the 16 police districts that have neighbourhood watch select a team of between two and four members who have a co-ordinating role for programs within the district. The time involved for these members has varied across districts with an average time of 18 hours for implementation and four hours of one member for maintenance each month.

For the first 12 months of operation, each district was required to submit monthly reports of the neighbourhood watch activities and time involved. This ensured quality control and proved to be an effective monitoring tool of the resources commitment.

After implementation a member from the local police station is nominated to liaise with the citizens of the program on a monthly basis. The program has proved to be extremely cost effective in terms of police resources required to implement and maintain the program.

CITIZEN ROLE

Each program is administered by a committee of volunteers from the area. The size of the committees range from 20-35 with an average of 30. The role of the residents involved is to support the objectives of the program and to encourage other residents to participate. The residents involved are told that for the program to achieve its full potential, it requires maximum citizen involvement and minimal police involvement. This is not to say the police are not an integral part of the program, rather, if an additional time commitment was required of police then the patrol capability or other vital activities would be compromised. Whilst citizens are made aware of burglary trends across the state, the emphasis is on the trends in their local area. It is clear that citizens involved have developed a healthy parochial attitude in their particular area.

IMPLEMENTATION PROGRESS

The Victoria Police have a policy that neighbourhood watch will be developed strictly in compliance with the criteria, and that quality will not be compromised for speed in further development.

As at June 1985, there are 120 neighbourhood watch programs established in Victoria, including six in country areas. Approximately 85,000 households, and 255,000 people are in neighbourhood watch areas. It is not intended for neighbourhood watch to blanket the state, but it will continue to be implemented according to the established criteria.

The first program budgeting target for neighbourhood watch was 90 programs by May 1985, this was achieved by April 1985. The second target is 150 programs by December 1985; present indications are that this will also be achieved earlier. Attendance at implementation public meetings has been maintained at an average of 150.

RESULTS

State Statistics

After the first quarter of 1984, residential burglaries in Victoria had increased by 49.93 per cent over the first quarter of 1983. The first neighbourhood watch program (except the pilot project) was commenced on the second last day of the first quarter of 1984, a further 60 programs were established over the next nine months. By the end of 1984, residential burglaries had increased by only 9.36 per cent over 1983, this was the lowest annual increase since 1981.

After the first quarter of 1984, there was a dramatic turn around in the residential burglary trend throughout Victoria. Initially the monthly rate of increase was progressively reduced from 40.11 per cent in March to 0.45 per cent in September. The last four months of the year recorded actual decreases each month ranging from 8.82 per cent reduction in October to 18.35 per cent reduction in December.

This trend has continued into 1985; the first five months of this year have all recorded decreases in residential burglaries, across the state, and these decreases have ranged from 7.96 per cent to 26.69 per cent.

By the end of May 1985, residential burglaries were 16.04 per cent lower than the first five months of 1984. These results of nine consecutive months where burglaries have decreased, and also state statistics being lower than the previous year after five months, have never been recorded in the past five years.

The only decreases recorded since 1980 had been five months in 1981 in the period leading up to and including the Commonwealth Heads of Government Meeting (CHOGM) in Melbourne, and two months in 1982.

Whilst the neighbourhood watch program only covers approximately 7 per cent of Victoria at present, it is clear there has been a ripple effect throughout Victoria in burglary reduction. The Victoria Police do not attribute all of the reduction to neighbourhood watch alone; however, it is acknowledged that neighbourhood watch has been the only significant change in policing strategy in the past 12 months, and therefore is certainly part of the reason for such significant reductions.

Neighbourhood Watch Areas

Crime statistics are collected for each neighbourhood watch area every month and forwarded to the central project team office. The statistics are also collected for the 12 month period prior to implementation. A study of the first 11 areas showed a 45 per cent reduction in residential burglaries and a 30 per cent reduction in all crime, in those areas, after six months. A further study of the first 40 areas shows a similar trend. Computer analysis and validation is continuing. Indications to date are that this highly encouraging trend is being maintained in all areas. The only apparent variable is the degree of commitment by the residents of a particular area. It is of interest to note that success is not dependant on the socioeconomic structure of the area.

The collection and analysis of crime statistics is supervised and co-ordinated by the Victoria Police statistician, Dr Andrew McNeill.

The individual area statistics are presented to each monthly meeting of the citizens involved. This is a further method of validation as members of the zone leaders committees are generally aware of the crime in their zone over the past month.

With the results achieved to date, there is little doubt that there has not been any displacement of crime of any significance; it is also clear that the neighbourhood watch program has proved to be extremely cost effective.

It is recognised that further evaluation is required, in the field of possible changes in attitudes amongst both police and the public, this and other issues, such as victim surveys, are planned in conjunction with Melbourne University in the near future.

THE FUTURE

Development

The neighbourhood watch program will continue to develop on sound management principles as it has to date. The selection criteria will continue to be strictly applied, unless current experimentation on a limited basis, where areas have a particularly high degree of public interest but a low crime rate, proves successful.

Civilian Structure

To date management of neighbourhood watch has been almost exclusively with the police. As a result of two conferences of

delegates from all neighbourhood watch areas, a civilian infrastructure has been proposed. The proposed structure will provide for a delegate of each area to meet on a district basis, state basis, and also to form a state executive council to ensure continued community consultation in development. There is no question of handing management and development over to a civilian structure; the rationale for the proposal was to ensure that both the police needs and the communities needs were met in the future.

Program Maintenance

Without doubt, the challenge of the future is program maintenance. The importance of developing program maintenance strategies has been apparent from the first planning meeting to establish neighbourhood watch in Victoria.

During the last half of 1985, a commitment has been made to devote additional time to developing program maintenance techniques.

The Victoria Police are deeply committed to neighbourhood watch and will continue support to ensure a continued crime reduction by committing police resources as appropriate, and by activating the greatest largely untapped resource available in crime prevention: the community.

THE OPERATIONAL ARM OF THE
NEW SOUTH WALES POLICE ANTI-THEFT BRANCH

Detective Inspector Bruce Gibson
Anti-Theft Branch
New South Wales Police

INTRODUCTION

The past decade has seen a remarkable increase in the incidence of property crime both within Australia and throughout the western world. This trend has been accompanied by an unacceptable decline in the clear-up rate achieved by law enforcement agencies. In New South Wales property breaking offences increased from approximately 19,000 in 1973 to approximately 69,000 in 1983-84. In 1984, the New South Wales government approved the establishment of the Anti-Theft Branch effective from 16 July 1984. The overall object of the branch is to increase the effectiveness of the New South Wales Police Force in the role of protection of property.

This paper will deal with the establishment of the operational arm of the Anti-Theft Branch and will provide information regarding the distribution of squads, and their selection of members, training, and operational activities. The provision of branch support and the effectiveness of the anti-theft squads upon property crime will be mentioned as well as the effect of operation on crime patterns.

The anti-theft initiative will promote the vigorous application of pro-active policing techniques. It is intended that the example set by squad activity will demonstrate, both to other members of the police force and members of the public, a new approach to the fight against property crime.

DISTRIBUTION

New South Wales is divided into 20 Police Administrative Districts: 10 in the Sydney metropolitan area, and 10 in country areas. It was decided that each district should have an anti-theft squad. That squad was to be responsible to the district superintendent who was to be accountable for the efficiency and effectiveness of the squad. In the metropolitan districts the anti-theft squad is located at premises central to the various districts as are the squads within the Newcastle and Wollongong police districts. Squads in other country centres are decentralised due to the time involved in squads centrally based, travelling to remote areas of their district. For example, the

Lismore District Squad has three members at Lismore, one at Coffs Harbour, one at Tweed Heads and one at West Kempsey. The 10 metropolitan, as well as Wollongong and Newcastle district squads, each have eight members. The other eight country squads each comprise six members giving a total of 144 police. The Anti-Theft Branch is comprised of 10 police, as well as public service staff. Chief Superintendent Parrington is the officer in charge of the branch.

SELECTION

District anti-theft squad members are selected by their superintendent from the ranks of uniform and general duty police. Members with a high degree of job-interest and initiative are preferred, although those qualities are quickly stimulated by exposure to pro-active policing. Squads comprise at least one sergeant and the remaining members represent a cross-section of constables' ranks (ordinary, first class, and senior). The sergeants in charge of the squads are responsible for the efficient and effective management of their officers and for assessing local crime trends. They are also required to maintain contact with their district superintendent or that officer's nominee (usually the district detective inspector) and the Anti-Theft Branch at police headquarters.

TRAINING

Anti-theft squad members undergo a five day training course with particular emphasis on practical policing. Much of the course content is devoted to the concept of pro-active community policing rather than to reactive techniques which do not appear to have had sufficient effect upon property crime. The course involves, inter alia, instruction on police powers, community relations, the preparation of hand-up briefs, obtaining and execution of search warrants, operational and patrol management. Lectures are also given, with practical involvement where applicable, in officer survival, search of premises and motor vehicles, as well as facilities available from specialist sections and squads, for example, the Modus Operandi Section, the Stolen Vehicle Index, Motor Squad, Drug Squad, and the Police Air Wing.

OPERATIONS

As previously indicated, squad sergeants are responsible for the efficient and effective management of their squads. In order to fulfil their responsibility to deal with property crime, they gather information from various sources. Crime Reports, a copy of reports of crime occurring within a specific police district, are forwarded to the office of the relevant Anti-Theft Squad, immediately the report is completed. That report includes information as to the time, date, and place of a particular

offence, the nature of the offence, the type and description of property stolen, together with information regarding any suspects. The locality of all property offences is plotted on a district map. Colour coded pins indicate the type of offence and whether it was committed during the night or during the day. That information is supplemented by local intelligence and information supplied by the analyst attached to the Anti-Theft Branch. An example of local intelligence lies in information supplied by other police or members of the public as to persons suspected to be involved in various offences. Information supplied from the branch analyst would include that supplied by specialist squads, for example, as to the activities of a group of suspects involved in car theft, house breaking, etc.

Anti-theft squad members also maintain a close liaison with divisional information officers who collate local information regarding suspects, vehicles used, disposal of stolen property, etc.

Squad activities are based on an appreciation of all available information. The squad sergeant is required to utilise the marked patrol car at all times when the squad is operational; decides what areas to patrol, and at what times; and also decides whether to use marked or unmarked vehicles and/or uniformed or plain clothes foot patrols.

PATROL TECHNIQUES

The use of uniformed and/or plain clothes patrols, whether mobile or on foot, is only one aspect of the patrol techniques to be considered by squad sergeants. They are encouraged to locate and use vantage points, for example, high rise buildings, television transmission towers. They also decide whether to concentrate on one area for the whole shift or to target different areas through the shift so as to prevent over-exposure of the police presence. This last factor needs careful consideration in conjunction with the high-profile pro-active saturation technique and some more covert techniques. Squads are issued with portable radios and binoculars to assist in surveillance where indicated.

It is vital that squads constantly vary their patrol patterns and techniques and use their statutory powers to stop, search and detain, vigorously but with discretion. It has been found that repetitive and therefore predictable patrolling is of extremely limited value.

Firm instructions are issued during training courses, and reinforced from time to time, that police are to clearly explain their reasons for their actions when stopping motorists or pedestrians. This has the effect of maintaining good community

relations and an appreciation on the part of members of the public of the objectives of the anti-theft squads. As of this date there have been no official complaints by members of the public regarding the pro-active approach of anti-theft squads.

LARGE SCALE OPERATIONS

Where crime patterns transcend district boundaries and it is clear that extra police effort is required, operations are organised by staff attached to the Anti-Theft Branch. A nominated officer or detective sergeant causes district crime reports to be critically analysed, and those members gather other relevant information, for example, motor vehicle theft/recovery patterns. They then prepare orders, maps and guideline instructions, and arranges for squad resources to be supplemented by other general duty police, anti-theft squads from adjoining districts, members of the Tactical Response Group, and members of the Anti-Theft Branch. Specialist groups are co-ordinated including the Police Dog Squad, the Air Wing, and the Water Police as required. Maps are segmented and clearly show patrol areas for nominated police. The operational detective inspector/sergeant ensures that district and divisional officers are kept informed, and brief members of the operation. During the course of the operation the area is visited on frequent occasions. Squad sergeants and specialist groups, for example, Tactical Response Group members, are contacted regarding the progress and effectiveness of the operation. Remedial action is taken as required.

It has been found in large scale operations that care needs to be taken to monitor effects of saturation. The selection of too small an area can result in over-saturation which, although a valuable deterrent, will quickly destroy any chance of arrest of suspects.

EFFECTIVENESS OF SQUADS

It is clear that the pro-active techniques employed by anti-theft squads are remarkably effective. A large number of arrests have been effected and the charge to arrest ratio has shown marked improvement. A comparison of the number of property breakings occurring in January 1984, with similar incidents in January 1985, reveals a fall in numbers. Although this may not be entirely due to the efforts of anti-theft squads, it is considered that the squads have made a valuable contribution.

Squad members make frequent contact with members of the general public. Small corner post office/stores, service stations, banks, and other potential armed hold-up targets are visited, and cash handling procedures discussed. Retailers are encouraged to reduce their cash holdings where possible, thus reducing losses should robbery occur. This type of activity enhances community relations

and is seen as a positive technique in the protection of property. An added benefit exists in that by establishing contact, members of the public may be more inclined to report suspicious occurrences, for example, persons loitering in car parks and in residential areas.

MATTERS AFFECTING PATROL PRODUCTIVITY

Prolonged saturation of one area results in suspects simply leaving that area and committing offences elsewhere. It has been found that suspects will frequently cross some natural boundary, such as a major waterway or an area of bushland.

Attempts to effectively patrol a large area prove inefficient because population and geographic features prevent a worthwhile presence being established.

It has been found that suspects arrested and released on bail quickly inform other would-be offenders of their plight, and activity ceases in the patrol area.

Experience shows that the most effective type of saturation patrol is of one or at the most two days duration. Although continuation, as previously stated, clearly acts as a deterrent the chances of apprehending suspects becomes less as the operation continues.

EFFECT OF ANTI-THEFT PATROLS

It has been found that crime patterns will change regarding the nature of offences, for example, there will be a downturn in the number of property breakings, and an increase in theft from motor vehicle, or in assault and robbery offences.

Alternatively, crime patterns will be displaced; as previously mentioned offenders will simply shift to an adjoining suburb and at times tend to cross some natural boundary.

Further, it has been found that other police involved in anti-theft operations are becoming increasingly aware of the value of pro-active policing techniques. Many members make it known to squad sergeants that they would be interested in being attached to anti-theft squads. This is regarded as an indication that attitudes to police work can be changed by example, and that police generally relish a pro-active approach to community policing.

OTHER OPERATIONAL INITIATIVES

Squads whose districts involve extensive waterways and/or boat launching ramps are issued with details of outboard motors reported stolen. Attention is then accorded to relevant areas, and

contact is established with proprietors of marinas in an effort to trace stolen equipment, and to enhance community involvement.

Serial numbers of stolen video cassette recorders. Lists of the model and serial number of stolen video cassette recorders are distributed to all major repairers. Repairers are requested to notify details of items coming to their notice. Several arrests have been effected as a result of this initiative.

Chief Superintendent Parrington has already invited other police forces to participate in the exchange of this type of information. It is appreciated that it may be difficult for forces using manual systems; however, involvement of police forces is encouraged, initially to assess the validity and cost effectiveness over a trial period of, say, three months. If warranted the system could be continued.

CONCLUSION

The establishment of the New South Wales Anti-Theft Branch represents a major initiative in the fight against crime involving property. It is clear that application of the concept has been both efficient and effective. Continued success is anticipated. It is hoped that current initiatives, and others to be developed, will foster an exchange of information and promote the interaction of police forces throughout Australia.

MARKETING: AN AID TO CRIME PREVENTION

Sergeant I/c R.L. Melville
Queensland Police Department

Crime prevention, by itself, is not a panacea; however, with an effective management strategy, and if measures are specifically tailored, properly co-ordinated, and targeted, crime prevention can bring about a desired change in behaviour. The difficulty then arises as to how crime prevention programs should best be used for the purpose of improving the quality of life for the general community.

It may be difficult for some people to see how marketing is related to crime prevention, and, in particular, how it is relevant to neighbourhood watch programs. But marketing adopts a scientific approach which could be of value to police administrators.

One of the great benefits that can be derived from skilled market research is its ability to focus on the public when formulating long range plans. In that sense, police departments are no different to commercial enterprise, and both should require specific knowledge about local communities for the correct formulation of long range plans. The United States National Advisory Council on Criminal Justice Standards and Goals (1972) states:

In defining objectives, priorities, and policies that govern delivery of police services, a police chief executive must have adequate information about the needs and expectations of his community.

When relating this statement to the private sector, it would be more simply stated by using the phrase: 'know your customer'. Successful corporations analyse and scrutinise their markets to determine customer wants and needs. By following this procedure, they are then in a position to develop products, and plan services, which will satisfy their customers.

There are some parallels that can be drawn between the private sector and police departments; focusing in particular upon the necessity for knowing the community and the provision of better services.

There are, however, many misconceptions associated with the term 'marketing', and many people view it as a disreputable bag of tricks and a corrupter of society. Many others simply think of the term as 'advertising', or a series of shonky promotions

designed to deceive a gullible public. This misconception is far from the truth.

It would be difficult to envisage any large successful corporation not having a marketing division:

Marketing has evolved from its early origins in distribution and selling, into a comprehensive philosophy for relating any organizations dynamically to its markets. Marketing is a cornerstone of policy and practise in such giant concerns as General Electric, I.B.M., Unilever and Coles ... Non-Profit organizations such as sporting clubs, universities, colleges of advanced education, churches, and government agencies are seeing marketing as a new way of looking at their relations with their publics (Kotler, 1980, p. 1).

Kotler describes marketing as a function within an organisation which helps it to identify unfulfilled human needs, and to convert them into business opportunities: survival and growth depend upon its ability to create value in an environment of constantly shifting wants and preferences. Therefore, boundaries are constantly being redefined as the technological and cultural basis of society undergo change as society moves from one stage of economic development to another.

Many people often confuse marketing with selling, but in essence, the concept of marketing is orientated towards the customer, and supported by a strategy which will generate customer satisfaction and at the same time, satisfy an organisational objective.

Indeed selling and marketing are antithetical rather than synonymous or even complementary. There will always, one can assume, be a need for some selling. But the aim of marketing is to make selling superfluous. The aim of marketing is to know and understand the customer so well that the product or service fits him and sells itself (Drucker, in Kotler, 1980, p. 22).

Police departments need to discover marketing for the following reasons:

1. there is an increase in the rate of crime;
2. there is a need to identify and capitalise upon new opportunities;
3. there is a need for more efficiency in the expenditure of police department budgets (particularly in the fight against increasing crime rates); and

4. there is a need to keep abreast of changing community wants and attitudes.

Kotler simply defines marketing 'as human activity directed at satisfying needs and wants through exchange processes' (1980, p. 21). This definition, when related to crime prevention programs, could similarly be described as a process which is attempting to actualise potential exchanges for the purpose of satisfying human needs or wants. That is, a better and safer community for all to enjoy.

It would be reasonable to assume that over the past decade, police departments throughout the western world would have spent millions of dollars on the development and implementation of crime prevention initiatives. Many such programs may have been 'born' because some police chief thought it was a 'good idea', or they may have been triggered by the 'gut feelings' of crime prevention officers, or a crime prevention advisory panel. Many programs also display signs of mimicry and are copied without any adaption to meet different sociological, demographic, or environmental conditions existing in the territory where the program is employed.

The initiatives of individuals or organisations, and the advantages of using local knowledge or years of experience are important factors for any program, but must be carefully analysed for proper interpretation prior to making any firm decisions. Except in the case of a very simple program, it is difficult to comprehend how an untrained person, irrespective of how well intentioned they may be, could design a crime prevention program, which when delivered to a target audience, would bring about a desired behavioural change.

From a general point of view, it appears that the responsibility for the design of many crime prevention programs rests with police officers appointed as crime prevention officers. Whilst these officers may have been well trained in law enforcement and the criminal justice system, most of them would have received only basic training in crime prevention methodology. As an analogy, a retired crime prevention officer may work as a security advisor for private enterprise; however, there are no such officers employed in private enterprise as marketing consultants.

A question that must be asked is how much money has been wasted in the past, and how much money will continue to be wasted in the future, on poorly conceived or poorly designed programs.

Traditionally, crime prevention publicity campaigns have fallen into two basic categories:

- (i) offender orientated publicity; and
- (ii) victim orientated publicity.

It is well recognised that it is difficult to determine the criteria which can effectively measure the results of crime prevention campaigns. However, by reviewing evidence found by the Home Office (Study No. 63) in the late 1970s, it was revealed that crime prevention advertising has, in itself, failed to produce changes in the behaviour of potential victims and offenders. Riley and Mayhew (1980) conclude that campaigns may demonstrate official concern about burglary, and sustain awareness of the value of prevention among those already security conscious, but they challenge the value of publicity in producing much change in actual (rather than claimed) behaviour: a conclusion now endorsed by North American evaluations (Sacco, 1980; Mayhew; 1984).

What the Home Office study did suggest was that there were three changes required in the field of crime prevention advertising:

- (i) the content of publicity and the way in which the objectives it is designed to achieve are reached;
- (ii) the need for a greater appreciation of the role publicity may have in aiding the implementation of other crime prevention measures; and
- (iii) the need for official attitudes to be modified about the extent to which publicity is useful in changing behaviour.

A statement frequently used in commercial enterprise when referring to advertising is: We know we are wasting half our advertising budget, but the difficult question is what we are never quite sure which half it is we are wasting. Skilled marketing consultants agree that this need not be true, for advertising can be directed towards mediums which may be cost effective.

Although the studies by the Home office have provided some doubt as to the effectiveness of advertising campaigns, it was interesting to note that in 1984 the central government spent 1.5 million pounds sterling on a crime prevention advertising campaign, which covered the London and Midlands television regions. The campaign focused attention upon residential burglaries and auto theft, and the central theme was: 'Don't let them get away with it'. The feature character was a bird commonly known in Australia as a magpie.

There are innumerable neighbourhood watch schemes operating throughout Canada, the United States of America, and the United Kingdom. While no two schemes appear to be exactly the same in

those countries, it is fair to say that the primary objectives of all, focus upon the containment or reduction of crime for the purpose of building safer communities.

Most schemes generally encompass the following characteristics:

1. publicising better security practices;
2. increasing the provision of 'home security surveys';
3. participating in property marking schemes; and
4. encouraging members of the community, both individually and collectively, to exercise more surveillance for the purpose of preventing residential crime and in particular break and enters.

Across the globe, police departments are increasingly committing additional resources for the provision of neighbourhood watch schemes. However, there is little hard evidence on the effectiveness or otherwise of neighbourhood watch schemes. Mayhew (1984) of the Home Office suggests that research in the United States of America has produced little consensus about whether the co-operative/surveillance element of neighbourhood watch lowers burglary (see Repetto, 1984 and Titus 1984 for conflicting views).

There are probably many who may like to share or reject this view. However, from the scores of interviews with police working on neighbourhood watch schemes, it was not difficult to form a strong view that community involvement in such programs was an effective management strategy for the purpose of combating a spiralling crime rate.

An infectious enthusiasm existed between police officers working in the development of neighbourhood watch programs. In some instances, police admitted to being conscripted into the crime prevention role of developing neighbourhood watch, but now, from their own admissions, they suggested that they are in strong support of the concept. Subsequently, it is fair to say that most police officers involved in the schemes possess an amount of empirical evidence giving support to the validity of the program.

However, their enthusiasm was not generally shared by the operational police. Many suggested that their job would be made easier and more effective if police generally were more receptive to crime prevention efforts and more responsive to members of the community voluntarily participating in the schemes.

Several issues are raised in respect of the neighbourhood watch schemes:

- (i) there appears to be a certain lack of evidence for the evaluation of neighbourhood watch programs;
- (ii) how effective are some of the essential components of the scheme?
 - (a) domestic security surveys,
 - (b) property marking schemes,
 - (c) publicity campaigns;
- (iii) the obvious enthusiasm of crime prevention officers working on neighbourhood watch schemes; and
- (iv) the concern by crime prevention officers as to the lack of responsiveness by the general police.

Considering the length of time these schemes have been operating it is difficult to imagine why more market research does not exist, which could substantiate the programs' effectiveness. There is some evidence which encourages the use of property marking schemes under certain circumstances, for example, householders with marked property enjoy reduced risks only if the markings are visible. (Wilson and Schnrider, quoted in Mayhew, 1984.) Other Canadian Studies at Portage La Prairie and Pas confirm the value of property marketing.

Although police departments spend a great deal of time and money conducting household security surveys, little is known about how many people actually adopt police recommendations. On the surface the scheme appears to be a good idea, but it would seem important that the following points are known:

- . how many people adopt police recommendations;
- . if they reject the recommendations, for what reason do they reject them;
- . who actually makes the decision to seek the advice from the police in the first place and for what reasons;
- . who makes the decision to accept or reject the advice, for example, husband or wife;
- . what competitive forces influence their decision making processes; and
- . if they accept the advice and upgrade their security, what then is their level of satisfaction.

Household security surveys are an excellent idea, but with more supportive data this service may become a more effective anti-burglary strategy. Perhaps it might be better to direct

attention (and messages) to the persons who make or influence the decision making process to improve household security.

From a marketing point of view it is incongruous that there are enthusiastic crime prevention officers persuing community involvement whilst a responding public may be greeted less than enthusiastically by police when reporting suspicious events.

The dichotomy which exists can be explained again by relating the police to private sector employment. Everybody has, at some stage in their life, been either bemused, irritated, or infuriated by the level of satisfaction provided by a sales assistant, receptionist, or attendant. This type of situation is a point of vital concern to many companies, even to the point that they ensure company executives do not lose touch with their customers by having them work at the counter at least once a month. From a marketing perspective it would be useless to have the right product, package, and promotion if the purchase is going to break down at the point of sale. Sophisticated private sector employment practices sometimes ensure that staff who have dealings with the public are properly trained and possess adequate product knowledge to not only effect the sale but to encourage repeat purchases. Police should not be any different and the importance of community involvement, particularly in solving crimes, must be recognised. It is vitally important that initial contact with police be positive, and every opportunity be explored to ensure repeat contact if the circumstances warrant it.

Police would be more receptive if there was a greater opportunity for development and participation in crime prevention programs. Therefore, it would be necessary to give some level of training to all police, clearly establishing a framework from where they can understand and involve themselves in crime prevention strategies. The Victorian concept of involving their crime squad cars in neighbourhood watch is a step in the right direction. It must be an ongoing process where police can give support to members of the community involving themselves in crime prevention programs. The maintenance of trust and confidence are vital elements in any program and this can be reinforced by providing valuable feedback.

Many police departments only give 'lip service' to crime prevention methods in their pre-service training. Considering that one of the primary objectives of policing is the 'prevention of crime', it would appear to be a reasonably logical step to introduce crime prevention methods as an integrated part of any subject taught (within practical limitations). For example, while instructing on the subject of burglary, one module on household security could be included. The same could apply for most property or personal offences.

For the introduction of any successful program it is important to recognise any competitive forces so that appropriate strategies can be designed to eliminate or lessen their influence on the project. Some of the major competitive forces are:

Aussie Ocker: An Australian adage which has developed is 'not to dob on your mate', or 'to relate suspicious activity to the police is to be categorised as a dobber'.

Complacency: The 'she'll be right' attitude can have a strong influence on the rate of acceptance/rejection of concepts. 'Why worry, it is covered by insurance.'

Environmental Design: Architects and designers may consider aesthetics on a higher priority scale than security. This could also include landscaping, lighting, and short term economic cost considerations.

Law Breakers and an Understanding of Crime: Target profiling may be of assistance in recognising those gender and non-gender variables which may have significant correlations with specific crimes or the clear up rate for certain offences. A study of the coincidence of certain correlates may assist in the marketing strategy.

Economy: The state of the economy can introduce limiting and/or inhibiting features which may influence the outcome or direction of the project. A few examples are:

- . budgetary constraints;
- . labour supply restrictions;
- . the extent of unemployment.

Environment: There exist many factors which can contribute to the existence of competitive forces. Some important considerations are:

- . an area may have a highly mobile visiting population, because of its proximity to retail, commercial, and recreational centres;
- . it may be the centre of domestic transport terminals;
- . the weather. In hot summer months householders may not be inclined to secure doors and windows;
- . it may be a densely populated area with a predominance of multiple dwellings and/or high rise apartments;
- . the absence of adequate street lighting;

- . major arterial roads may pass through a suburb giving increased observational opportunities to offenders seeking to casually identify vulnerable targets;
- . the existence of a low level of involvement/motivation by citizens in community affairs.

Police: Police themselves may not be as responsive to methods seeking increased involvement by citizens in crime prevention programs as they might be. Some individual officers may have become engrained by the advocacy of traditional enforcement measures because of years of experience in enforcement policing.

There exist two essential components to ensure the continual success of a neighbourhood watch program: firstly, the level of police involvement; and secondly, the provision of adequate feedback.

Across the globe there are a number of projects floundering because police departments believe that they could achieve results simply by acting as the initial catalyst and then dropping out and leaving it entirely to the community to run.

One of the most efficient ways of ensuring good feedback is a system introduced by the Mt Lebanon Police Department (Mt Lebanon is a residential community bordering the city of Pittsburgh, slightly over six square kilometres in area, with a population of about 37,500.) Officer James Howell, their crime prevention officer stated, 'The fundamental element in the success of any neighbourhood watch program is communication'.

The Mt Lebanon Police Department overcame that problem by using a simple computerised dealing system where block or area captains could be contacted. This gave them the capacity to alert any group (or street) at a moments notice simply by forming a message and then selecting the correct tape and dispatching the message via a dedicated telephone line. The machine originally used by Mt Lebanon was a SURVEYOR 7 and which has now been replaced by the new SURVEYOR 8.

While Mt Lebanon is only a small community, the capacity and technology exists to expand this concept to large communities by using more sophisticated equipment. The extent of its use in policing would only be limited by imagination.

Crime prevention programs are also limited by imagination and understanding of the problem. A positive step in the right direction for future action must necessarily encompass a more co-ordinated approach to the problem. Many authoritative writers on the subject of burglary say that as many as 60 per cent of burglaries are crimes of opportunity. Sixty per cent is a large proportion of the market, and proper research and co-ordinated effort can make some inroads into this serious problem.

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UNLAWFUL ENTRY OFFENCES IN THE NORTHERN TERRITORY

AND

THE ESTABLISHMENT OF NEIGHBOURHOOD WATCH PROGRAMS

Superintendent A.J. Godwin
Northern Territory Police

UNLAWFUL ENTRY OFFENCES

On 1 January 1984, the Criminal Code came into operation in the Northern Territory and this legislation dispensed with break, enter and steal type offences as well as some other offences, such as burglary. Such offences are now contained under section 213 of the Code which relates to unlawful entry of buildings with varying degrees of aggravation. Section 213 states:

213. UNLAWFUL ENTRY OF BUILDINGS:

- (1) Any person who unlawfully enters a building with intent to commit any offence therein is guilty of an offence.
- (2) If he does so with intent to commit a simple offence therein he is guilty of a simple offence and is liable to imprisonment for one year; if the building is a dwelling-house he is liable to imprisonment for two years.
- (3) If he does so with intent to commit therein a crime for which the maximum punishment is not greater than three years imprisonment, he is guilty of a crime and is liable to imprisonment for three years; if the building is a dwelling-house he is liable to imprisonment for five years and, if it is actually occupied at the time of his entry, he is liable to imprisonment for seven years.
- (4) If he does so with intent to commit any other crime therein he is guilty of a crime and is liable to imprisonment for seven years; if the building is a dwelling-house he is liable to imprisonment for 10 years.

- (5) If he commits an offence hereinbefore defined at night-time, he is liable to twice the punishment prescribed for that offence.
- (6) If he commits an offence defined by this section when armed with a firearm or any other dangerous or offensive weapon, he is liable to imprisonment for 20 years; if the building is a dwelling-house he is liable to imprisonment for life.

This information is supplied to avoid any confusion that may arise in future references in this paper.

The correspondence from the Australian Institute of Criminology continuously uses the term burglary. Without the benefit of knowledge of the writer, this term is presumed to refer to unlawful entry into dwellings at any time of the day as opposed to shops and other premises. In this regard, reference to offences in this paper, refers to unlawful entry offences as opposed to burglary.

The figures available to the Northern Territory Police Force confirm an increase in the number of unlawful entry type offences being committed in the Northern Territory in recent years. The following figures depict this increase since the beginning of the 1980s. The unlawful entry offences are broken down into three main target areas: dwellings, shops, and other premises (offices). Figures relate to the fiscal year.

	<u>Dwellings</u>	<u>Shops</u>	<u>Offices</u>	<u>Totals</u>
1979-80	722	242	372	1336
1980-81	1110	714	205	2029
1981-82	1530	432	652	2614
1982-83	1651	321	848	2820
1983-84	1846	424	750	3020
N.T. Total Population	122,883	129,429	133,876	138,900
<u>Unlawful Entries</u>	<u>1980-81</u>	<u>1981-82</u>	<u>1982-83</u>	<u>1983-84</u>
Numbers reported	2029	2614	2820	3020
Rate per 100,000 persons	1651.2	2019.6	2016.4	2174.2

The above figures do not necessarily denote a change in target, but do support the proposition that private dwellings have become increasing targets for this type of offence. Of all the unlawful entry offences committed in the year 1983-84, 1846 were committed on private premises, which is 61.1 per cent of all such offences reported. If this is to be compared against the year 1979-80, when 1336 offences were committed, of which 722 were committed on private premises (approximately 54 per cent), the increase in the Northern Territory, although not really dramatic, is notable. There is no clear reason for the rise although factors such as unemployment, opportunity (husband/wife working), increase in offences in Aboriginal settlements, and a high crime rate amongst youth, all contribute.

It is interesting to note that over the past three years offenders charged with unlawful entry charges are low in comparison with the number of offences committed:

	<u>Dwellings</u>	<u>Shops</u>	<u>Offices</u>	<u>Totals</u>
1981-82	552	223	384	1159
1982-83	469	177	428	1074
1983-84	443	234	394	1071

Whilst the charge rate against the offence rate over this period for shops and offices might be said to be reasonable, the same could not be said for dwellings, which is very low, especially when it is considered that the figures include charges against multiple offenders and is not the number of offences cleared. Presuming the trend will continue, it is obvious that the charge rate will drop even lower unless some steps are taken to prevent such offences or to detect offenders.

Clearance rates for unlawful entry offences in the Northern Territory during the years 1980-81 to 1982-83, are as follows:

	<u>1980-81</u>	<u>1981-82</u>	<u>1982-83</u>
Numbers reported	2029	2612	2820
Numbers cleared	651	703	683
Percentage cleared	32.1%	26.9%	24.2%

NEIGHBOURHOOD WATCH PROGRAMS - COMMUNITY POLICING

The Northern Territory Police Force acknowledges that any effective action to combat the rise in unlawful entry offences will need the co-operation of the community. In the past, police throughout the territory have established short term community aimed projects, designed to encourage the public to report suspicious persons or incidences. During the Christmas period of

1984, a project, 'Break free Christmas', was run in the Darwin area. Although not overwhelmingly successful, this and other similar projects have given the police an indication that the community are not only concerned about crime, but are also willing to assist if consistently encouraged to do so.

It has also been found in past police special operations, that 'saturation policing' by inconspicuous members on motor cycles and bicycles is most effective, and will reduce quite dramatically incidences of unlawful entry. For obvious reasons such strategies cannot be maintained for any lengthy period. In the Darwin area it is proposed that such tactics will again be employed as the need arises and, in this regard, intelligence on unlawful entry offences are continually monitored to identify any emerging patterns or trends.

In considering the appropriateness of any community policing program, schemes as diverse as the Detroit Mini Police Station Program, the Japanese Koban System, the British Unit Beats System, the Canadian Vancouver City Team Policing System, Neighbourhood Watch, and Community Alert Programs were examined. The Auckland Program was particularly significant to the Northern Territory because of the ethnic composition of the population, and two senior police officers of the Northern Territory Police Force recently travelled to New Zealand to observe this program in operation. The difficulty in considering the implementation of any of the above schemes, or an adaptation of such schemes in the Northern Territory, is that the schemes examined are basically aimed at high density population areas; a situation which does not exist in the Northern Territory, where more spacious living is the norm.

The question in the Northern Territory in relation to neighbourhood watch programs, is: What sort of program could be introduced to best suit the community?

The police force has recently expanded its Community Policing Unit. The unit is now headed by a senior officer, and other areas of the unit were also expanded to cope with the increased activity in community policing. With the high incidence of crime amongst youth in the Northern Territory, the main thrust of community policing for 1985, has been aimed at youth. Some projects presently underway include:

Police and Citizens Youth Club: An expansion of club activities and amendments to the constitution to cater for more community involvement in the management of the club. The activities of the pony club will also be extended and is to include such courses as stockhands course, primarily aimed at Aboriginal youth.

Junior Police Rangers: This year has seen the introduction of a junior police rangers scheme in the Northern Territory which is aimed at developing leadership, public safety, and community spirit amongst the youth in the Northern Territory.

Blue Light Discos: As in other states, promotion of blue light discos is proving popular amongst the youth, and discos are held regularly in both the urban and rural areas.

Police/School Liaison Officers/Youth Centres: Proving to be effective is the police/school liaison officer. The police officer visits their adopted school on a regular basis and, since its implementation, 'it has been found to be an excellent manner in obtaining rapport with youth and staff alike. Much useful information is being gained through this system. Youth centres are also being established through some high schools with police participation for after school activity and establishing police/youth relations.

The Community Police Unit also maintains programs of school lecturing, student work experience, and publications aimed at youth.

The Northern Territory Cabinet are presently considering a submission for a police liaison officer to be attached to each high school in the Northern Territory. It is considered that this initiative will help reduce the unacceptably high rate of juvenile crime, and increase police visibility in the community. As well as liaising with students, school staff, and parents, these members will be in daily contact with business people within their area's shopping centres. They will also be responsible for the high schools feeder primary schools.

SECTOR POLICING

In the Darwin area the Operational Command, in conjunction with the Community Policing Unit, is presently carrying out an investigation aimed at introducing a 'sector policing system', as opposed to the centralised patrol system presently in operation. At the present time a 'watch' is responsible for the deployment of patrols throughout the Darwin area. Although this system is effective, the respective 'watches' have no particular affiliations with any particular areas in Darwin and, although a contact policing system is maintained, it is felt that the officers, supervisors, and members are not getting enough continued police/public interaction to establish the required rapport and understanding.

It is felt that the introduction of the sector policing system would pick up most aspects of the neighbourhood watch system,

except such things as organisation of groups and street/house signs, which appear to go with such systems. The concept for sector policing is that an established group of uniformed police, headed by an officer, would be designated a particular sector for patrol purposes. It is felt that the system would expose officers to a more personal involvement within their particular designated sectors and help to establish affiliations which may prove an incentive in patrol activity.

Each group would be involved in contact policing within their sector on a personal basis, and there would be constant contact with schools, business premises, and community groups through officers appointed to maintain this type of liaison. The community within these sectors would be encouraged to become involved with the system, get to know their sector police officers, and report suspicious activities.

Sector communities would be encouraged to participate in schemes aimed at crime prevention, run by services clubs, such as Kiwanis, which engrave portable property with drivers licence numbers or undertake numbering and recording of bicycles. It is envisaged that each group would have its own crime prevention officer who would be in a position to advise business premises and the community, generally, on aspects relating to security and crime prevention.

Officers appointed to groups would be encouraged to participate in community activities and establish far greater contact with the public in an effort to obtain a better understanding of the community and its needs.

It is anticipated that introduction of this system will take place at the end of this month and will be preceded by a media campaign explaining the system, its objectives, and names of senior personnel assigned to particular sectors. It is anticipated that a sector policing system, given time, will promote better understanding between the community and the police, promote community involvement in crime prevention/detection, and provide police with the intelligence and information that is so necessary to combat the present crime rate.

SENTENCING OF BURGLARY AND RELATED OFFENCES

IN QUEENSLAND

Mr Justice Connolly, C.B.E.
Supreme Court
Queensland

Computerised storage and retrieval of the sentencing decisions of the Court of Criminal Appeal now covers the decisions of that court from the beginning of 1982 with selected cases going back to 1977. The instrument used is an Apple II which has functioned well. However, as the data are stored on disc, a new disc is required whenever the current one is filled, and it is now necessary to search on three discs separately. Searching within a disc occurs form by form and in comparison with other systems is relatively slow. For practical purposes the service is mostly employed in the form of books of print outs prepared by the Supreme Court Library and updated at the end of each sittings of the Court of Criminal Appeal.

The material is inserted in a number of predetermined fields and it is possible to search by interrogating a combination of fields so that, for example, the disc can be searched for sentences imposed upon offenders of stated ages, or within stated age groups, who have been sentenced for named offences. The use of a special code word where non-custodial sentences are imposed enables searches for such sentences in relation to given offences, of all offences and, if desired, in relation to offenders of specified ages or specified sex.

The book of print outs is available to be searched at the counter of the Supreme Court Library, and a direct search of the discs can be organised. The result is that sentencing appeals are conducted in the light of the known sentencing decisions of the court.

It should be emphasised that a mechanical application of the data is, of course, not envisaged. The computer entry is cross-referenced to the library's hard copy of the text. The advantages of the system are that the judges can ascertain without difficulty the general level of sentencing for a given offence, and this gives a point of departure in evaluating the correctness of a sentence.

In Fox and Freiberg's paper, 'Sentencing in Victoria: State and Federal Law', they make the point at page 2, paragraph 2, that sentencing case law is inadequately reported. The problem about an individual sentencing decision is that it is in most cases merely a single instance and lays down no new principle. It is therefore not regarded, in the ordinary way, as reportable. What is important is not that such decisions should find their way into

the standard sets of reports, but that they should be easily retrievable so that appropriate statistics can be derived from them, and so that the current levels of sentencing can be easily identified. The system referred to at the beginning of this paper, does, perhaps imperfectly, provide the means of doing this.

The following statements may be made in relation to the sentencing levels of the offences with which this seminar is concerned.

Burglary

The recorded burglars whose cases have been before the Court of Criminal Appeal since the beginning of 1982 were all males, most had previous criminal histories, and a high proportion were aged 25 or less. The sentencing tariff was about three years. The highest sentence was 10 years effective and related to an offender who, although having no previous record, was being sentenced for 54 cases of burglary and a string of associated cases of a similar type. His activities had involved property of the value of \$80,759. An offender aged 16 was sentenced under the Children's Services Legislation to indefinite detention at the Queen's pleasure, but this burglary was associated with a rape on the same occasion. The lowest recorded sentence which has been through the Court of Criminal Appeal was passed on a youth of 17, a Torres Strait Islander who received six months and three years probation. However, it should be noted that on 15 May 1985, the court upheld sentences of five years for counts of house breaking and entering with intent, where the offender had a very bad criminal record, and had committed some 12 of the offences in question after being admitted to parole (Nicholls, C.A. 52/85). A similar sentence was upheld on 9 May by the Court of Criminal Appeal in the case of a 29 year old man with a very bad record who had invaded a house and taken personal possessions and who had also assaulted a small child. The sentence was affirmed, although the offender had been nine and a half months in custody awaiting trial (Crowe, C.A. 50/85).

Housebreaking

As a general statement it may be said that housebreakers who have been before the Court of Criminal Appeal were all males with one exception. Most of them were less than 25 years of age, and most of them had previous criminal histories. The tariff appears to be one and a half to three years. A number of instances of probation are on record, for example, a man of 20 with brain damage, an Aboriginal, a Torres Strait Islander, and one case of an 18 year old with no previous offences but who was being sentenced for the commission of no less than 52 offences. It is noteworthy that in this case one of the judges dissented. The highest recorded sentence is five years with a recommendation for parole after two and this was in the case of 18 offences. The two sentences for

housebreaking referred to under the heading of 'Burglary' should also be regarded. It should be mentioned that offenders with no previous criminal history receive a significantly lower sentence except in the case of a large number of multiple offences. It is obvious that there is little relationship between the maximum term of imprisonment provided for by the Criminal Code and the sentences being passed. There does, however, seem to be a reasonable relationship between sentences for housebreaking and burglary, having regard to the different way in which they are treated by the Code.

Entering Dwelling Houses

The offences of entering a dwelling house with intent, which attract 14 years or seven years, depending on whether the offence is committed by night, are again offences committed by males, mostly with previous records, a high proportion of whom were less than 25 years of age. The tariff would appear to be of the order of six months to two years. In appropriate cases, probation has been given, and it is worth noting that a higher penalty is obviously awarded where the offender was on probation or parole at the time of the commission of the offence. The highest awards were five years with a recommendation for parole after two on a 19 year old with previous criminal history who was being sentenced for 24 offences. The second next highest was a sentence of three years. This offender, although an Aboriginal, was on bail at the time, and the offence was associated with burglary. Similarly, a man of 24 with a serious criminal history was sentenced to four years for this offence having been on parole at the time of its commission.

Breaking and Entering a Place Other than a Dwelling House

Here again the offenders are male and mostly 23 years of age or less, and most of them have previous criminal histories. The tariff is one to three years, although it must be said that the number of instances in the records at present is small. This compares with a small number of instances of breaking and entering places with intent, as opposed to the actual commission of an offence, in which cases one year has been given to males 21 and under, with previous records.



SENTENCING FOR BREAK, ENTER AND STEAL

IN NEW SOUTH WALES

Ivan Potas
Australian Institute of Criminology
Canberra

In recent times more and more space is taken up in the press and electronic news media concerning the incidence of burglaries within the community. For example, in Queensland the Sunday Mail has been running a series of articles on the subject. On 3 March the headlines read 'Burglars have Brisbane under seige - terror strikes five times every hour'. There is a picture of a man named 'Tom' going through an open security screen door, almost a prisoner in his own home, in order, so the caption reads, to protect himself from 'knife-weilding thieves'. On the same page there are pictures of ransacked houses and interviews with victims of burglary. Another article talks about 'an explosion of juvenile crime' and statistics are presented suggesting that juvenile offending, particularly involving housebreaking, is Queensland's fastest growing crime. According to this report 2,411 juveniles were on break, enter and steal charges, but arrests cleared up only 21 per cent of the 11,000 home burglaries. Some 10,000 of these homes were in Brisbane, Ipswich, and the Gold Coast. It is interesting to observe that the Juvenile Aid Bureau has claimed that counselling has worked in about 80 per cent of cases. Only the hard cases, it is claimed, proceed to prosecution.

Similarly in other states there is considerable anxiety surrounding the growing frequency of housebreaking. A recent survey conducted by the Community Relations Bureau of the New South Wales Police Department, being part of a research study undertaken for the neighbourhood watch program, revealed that over 90 per cent of residents living in the inner city area of Sydney feared that they, or their property, would become the target of crime. Furthermore, 88 per cent of these respondents felt that burglary was the greatest single crime problem. About half of those interviewed had been burgled in the preceeding two

NOTE: In this paper no particular significance should be placed on the term burglary because it is not used in its narrow or technical legal sense but rather in its more common meaning of housebreaking.

years. The headlines of The Sun, 25 March 1985, read 'Sydney, A Fortress of Fear'. Another headline, this time in the Sydney Morning Herald on 4 June 1985, read 'Thou shalt not steal - except in Sydney'. In this article it is said that even church poor boxes are the targets of burglars.

Another indicator of the high incidence of burglary in the community is its impact on the security industry, and upon insurance premiums. On 25 February 1985, the Financial Review Weekly recently reported that the security industry was amongst the fastest growing areas of business in Australia. It estimated that various security companies have been increasing in size since 1980 at a rate of between 15 and 20 per cent per annum, and that the industry was now turning over an estimated \$400 to \$500 million each year. In New South Wales in 1982-83, there were 61,529 reported housebreakings and a further 32,981 other premises were broken into; about double the number for the previous year. In Victoria 32,000 homes were broken into in 1980. By 1984 the figure had increased to 51,000. Naturally insurance company payouts have also been increasing. According to the Insurance Council of Australia, some \$150 million were paid out last year. This compares with \$40 million in 1980. Not surprisingly insurance premiums have increased, with the result that either directly, or indirectly, few people have not been affected by the prevalence of housebreaking.

HARDENING ATTITUDE OF THE COURTS

The courts have also taken notice of this apparent epidemic. In Hayes, (1984) 11 A. Crim R. 187, the New South Wales Court of Criminal Appeal demonstrated its determination to do what it could to stamp out this crime. Its response was to indicate to both the public at large and to would-be offenders that stiff penalties would be imposed by the courts for this offence.

Hayes had appealed against the severity of an effective sentence of 13 years with a specified non-parole period of eight years. He had pleaded guilty to four separate counts of break, enter and steal involving some \$10,000 worth of goods. These goods consisted mainly of electronic equipment, such as video recorders, cameras, and other personal effects which had potential resale value. He also admitted to the commission of a further 30 offences of a similar kind so that, in total, the value of property stolen amounted to \$37,808. The offences took place over a period of eight months (between August 1982 and April 1983) and were restricted generally to the northern beaches area of Sydney. In sentencing the prisoner, the judge took into account the 30 outstanding offences, as is provided for under the terms of s. 447B of the Crimes Act, 1900 (NSW). Hayes was 24 years of age, unemployed, and had a prior record of offences extending back to when he was 16 years of age. He was on parole for other break, enter and steal offences when he

committed the present offences, having been released from prison on 5 July 1982. Indeed, he commenced offending only one month after he was released on parole.

During the course of his judgment, the Chief Justice, Sir Lawrence Street, made the following observations:

It is becoming notorious in the community that offences of break, enter and steal are being committed with increasing frequency. In the six years from 1976 to 1981 they increased from 849.19 per 100,000 population to 1332.77 per 100,000 population:- an increase of 57 per cent. Higher courts appearances for the same period show an increase from 504 to 860: an increase of 71 per cent. If one takes the latest public statistics for higher courts appearances, that is to say, 1982, the figure is 1,004: an increase of 99 per cent over the 1976 figure.

The Chief Justice spoke of the trauma to the victim upon re-entering a home that has been ransacked, the emotional distress occasioned by the loss of property, particularly property that cannot be replaced, and the escalating premiums charged by insurance companies. His Honour continued:

The invasion of people's homes and the plundering of their property is a social evil from which the community looks for protection to the law enforcement agencies and the criminal courts. It is, however, the considered view of this court that the time has come for a hardening in the policy of criminal courts when sentencing for this offence.

Chief Justice Street then referred to the maximum legislative penalty for break, enter and steal, and pointed out that the prescribed penalty of 14 years penal servitude placed this crime in the category of the more serious offences dealt with in the Crimes Act. His Honour added:

It behoves the courts in consequence to treat the offence of break, enter and steal with corresponding seriousness when sentencing. Those tempted to commit this offence should heed this warning. In a phrase: burglary is out.

In delivering his judgment in the same case, Mr Justice Lee also referred to the growing incidents of housebreaking in the Sydney metropolitan area. In His Honour's words:

Many householders have virtually converted their homes into mini-fortresses in an attempt to keep their property safe from the depredations of criminals. Ugly steel grills on windows, massive mesh doors of metal, deadlocks, window locks, automatic light and sound devices, burglar alarms are but some of the desperate means being employed by people to keep their homes safe. Some are so certain that their homes will be burgled that they will not go out unless there is an occupant on the premises. But still the offences go on and homes are broken into morning, noon, and night. One may wonder whether the time is not very far distant when a moat and drawbridge, adapted to modern conditions, will be an integral part of every freestanding home.

Mr Justice Lee then asked what the courts could do about the problem. He responded by expressing the view that the courts had a duty to make clear to the public that their prime responsibility is the protection of the community and that they would impose stern measures against those who are involved repeatedly in break, enter and steal offences. The present case involved a professional burglar who carried out his task with a degree of cool premeditation and planning. Accordingly his honour concurred with the Chief Justice that the aggregate sentence imposed by the trial judge was not erroneous. The appeal against the severity of the sentence was dismissed.

Although the individual offences committed by Hayes were not atypical, the aggregate sentence of 13 years penal servitude accompanied with an eight year non-parole period were clearly more severe than the normal measurement of punishment for such offences.

HIGHER COURT STATISTICS

Table 1 gives a breakdown of sentences and non-parole periods imposed for break, enter and steal offences in the higher criminal courts of New South Wales for the year 1982. It shows that 340 or 42 per cent of those convicted for this offence were given bonds or probation with or without a fine. Sixteen persons, or two per cent of offenders received periodic detention and 32 or four percent received community service orders. In other words, 48 per cent or about one out of two persons convicted were given a non-custodial, or a semi-custodial sentence.

Table 1 also shows that 26 per cent of sentenced offenders received non-parole periods of less than one year, 42 per cent received non-parole periods of less than two years, and only 5.2 per cent received non-parole periods in excess of two years. Figures 1 and 1A illustrate graphically the patterns of sentences and non-parole periods for 1982.

Table 1 Sentencing for Break, Enter and Steal
Higher Court Statistics 1982 (NSW)*

	No.	%	No.	%
<u>Sentence</u>				
Bond/Probation with or without fine	340	42	-	-
Periodic Detention	16	2	-	-
Community Service Order	32	4	-	-
IMPRISONMENT			Non-Parole Period	
Under 1 year	33	4	207	26
1 year and under 2 years	87	11	125	15
2 years and under 3 years	132	16	32	4
3 years and under 4 years	94	12	5	0.6
4 years and under 5 years	45	6	2	0.2
5 years and under 10 years	27	3	3	0.4
10 years and more	2	0.2		
Other			n/s 46	6
<hr/>				
Total Imprisoned	436 **	52	436	52
Total Distinct Persons Convicted	816	100	816	100

* Source. Australian Bureau of Statistics, Higher Criminal Courts, New South Wales, 1982, Table 10.

** This total includes eight juveniles who were committed to a juvenile institution.

FIGURE 1 SENTENCING FOR BREAK ENTER AND STEAL
Higher Court Statistics 1982 (NSW)

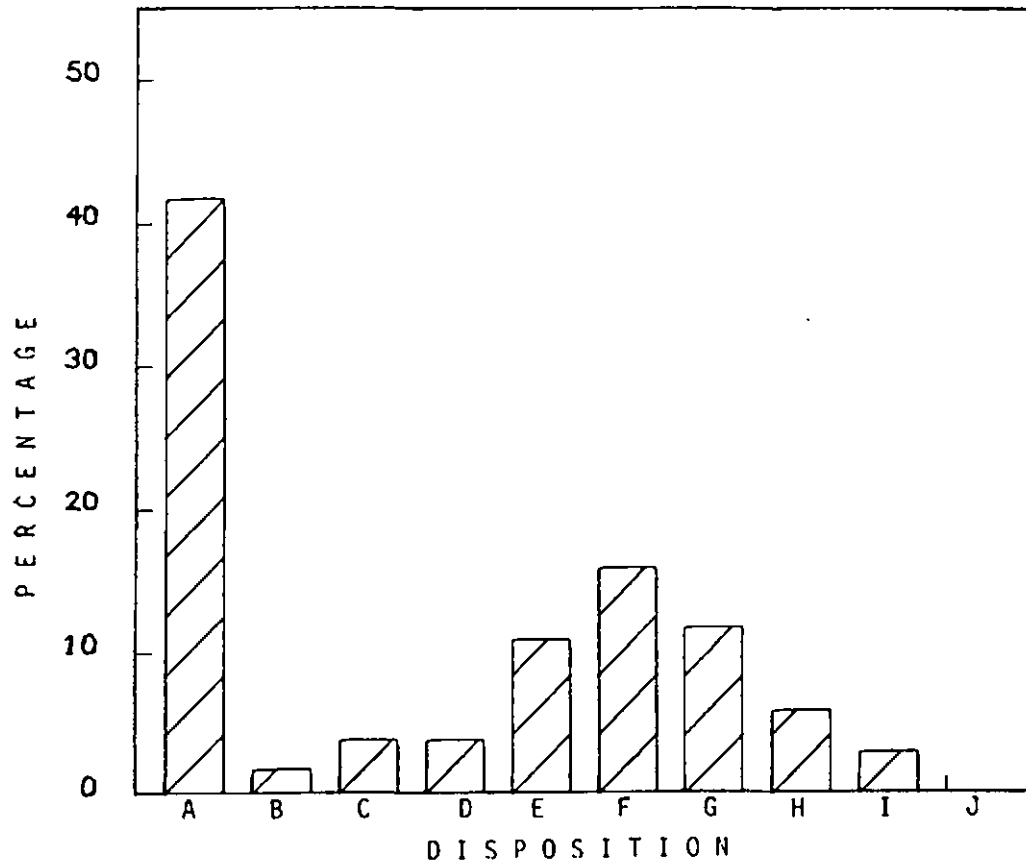
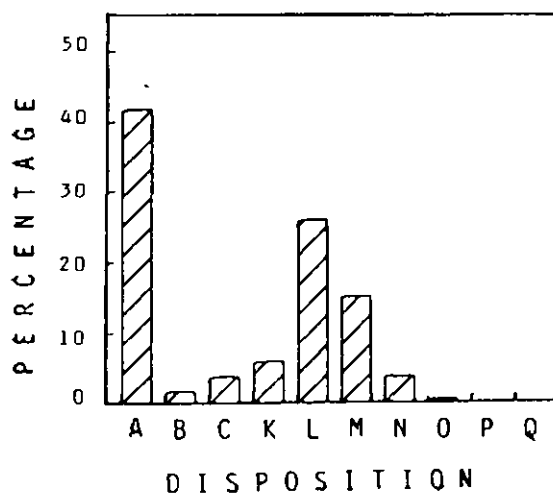


FIGURE 1A

Non-Parole Statistics 1982 (NSW)



KEY:

- A - Bond/Probation with or without fine
- B - Periodic detention
- C - Community Service Order
- Imprisonment
- D - Under 1 year
- E - 1 year and under 2 years
- F - 2 years and under 3 years
- G - 3 years and under 4 years
- H - 4 years and under 5 years
- I - 5 years and under 10 years
- J - 10 years and over
- Non-Parole Periods
- K - Not specified
- L - Under 1 year
- M - 1 year and under 2 years
- N - 2 years and under 3 years
- O - 3 years and under 4 years
- P - 4 years and under 5 years
- Q - 5 years and under 10 years

FIGURE 2 SENTENCING FOR BREAK ENTER AND STEAL
Higher Court Statistics 1978-82 (NSW)

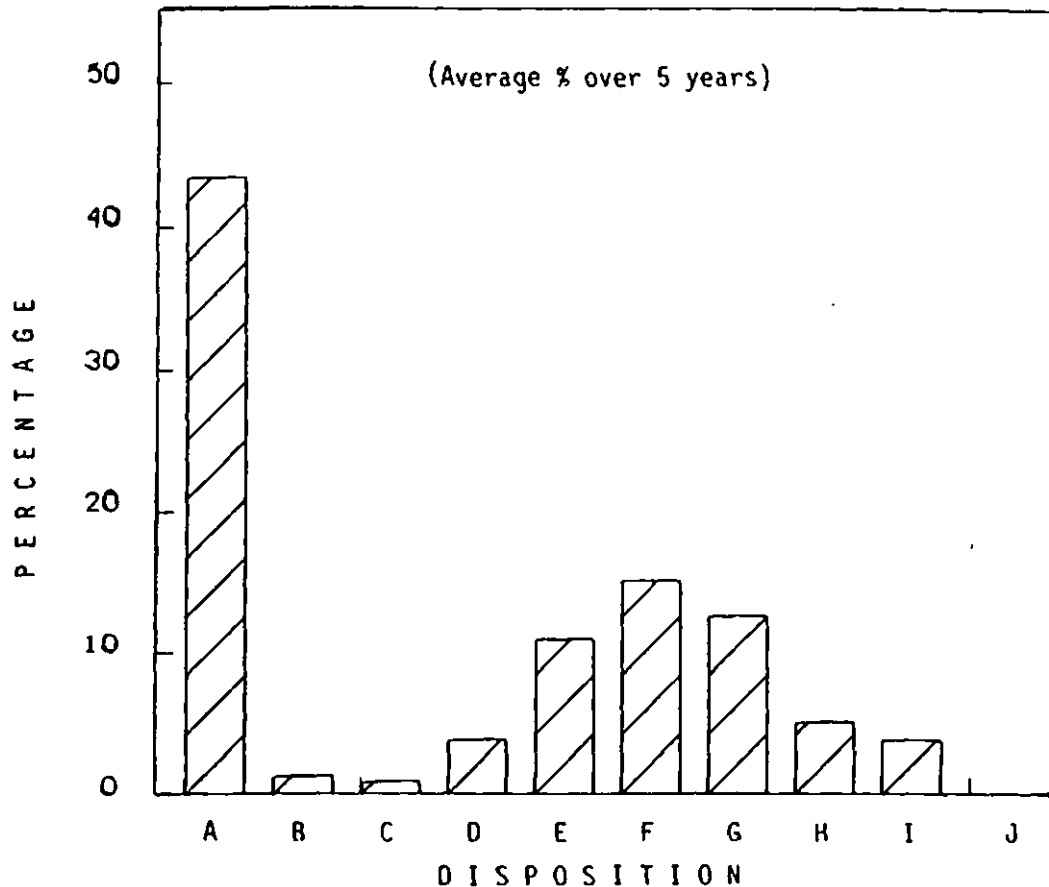
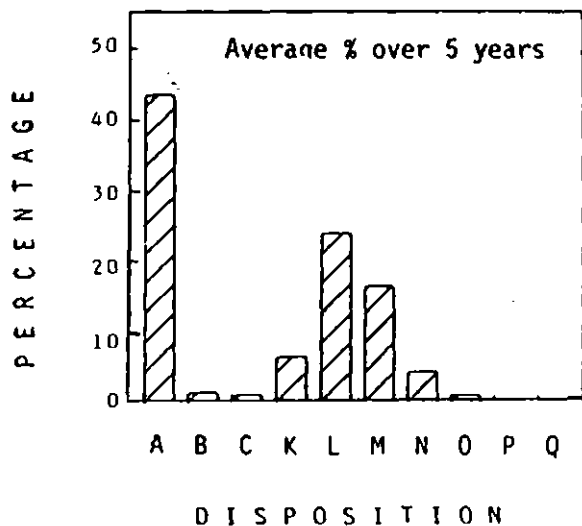


FIGURE 2A

Non-Parole Statistics 1978-82 (NSW)



KEY:

- A - Bond/Probation with or without fine
- B - Periodic detention
- C - Community Service Order - Imprisonment
- D - Under 1 year
- E - 1 year and under 2 years
- F - 2 years and under 3 years
- G - 3 years and under 4 years
- H - 4 years and under 5 years
- I - 5 years and under 10 years
- J - 10 years and over

Non-Parole Periods

- K - Not specified
- L - Under 1 year
- M - 1 year and under 2 years
- N - 2 years and under 3 years
- O - 3 years and under 4 years
- P - 4 years and under 5 years
- Q - 5 years and under 10 years

The question arises as to whether the sentences imposed in 1982 were atypical. In order to examine this question, data covering a five year period, 1978 to 1982 inclusive, were collected, and average sentences and non-parole periods were calculated (Table 2). When the data presented in Table 2 are compared with the 1982 statistics there is little change to be found in the general pattern of sentences. However, the average sentence calculated includes 1982 data so that to some extent at least, the average sentence is affected by the figures with which it is being compared. Figures 2 and 2A depict the average pattern of dispositions and non-parole periods imposed by the courts over the five year period.

Once again these data reveal that almost half the number of persons sentenced for break, enter and steal offences in the higher criminal courts of New South Wales were not given prison sentences. Those that were sentenced to imprisonment seldom received terms exceeding four years with respect to their most serious offence. Table 2 shows that fewer than one person in 10 received a sentence of imprisonment of four years or more for a single offence of break, enter and steal. Only 3.2 per cent received sentences of five years or more.

However, it is important to qualify these findings by stressing that the penalties which are the subject of statistical tabulation relate only to the most serious offence in respect of which each individual offender has been sentenced. In other words, where the offender is convicted on a number of charges and a term of imprisonment is imposed for the most serious offence, only this term is shown in the statistics irrespective of whether or not that term of imprisonment is ordered to run cumulatively or concurrently with any other term of imprisonment. Indeed, a significant proportion, if not the majority of offenders who come before the higher criminal courts on break, enter and steal charges are sentenced in respect of two counts or more.

Thus, in the case of multiple convictions the courts either impose cumulative or concurrent sentences. For example, one strategy of the courts is to impose a relatively long sentence on one charge and order the other sentence or sentences to run concurrently with it. Alternatively, the court may impose relatively short sentences in respect of each charge but order them to run consecutively. In deciding whether sentences should be ordered to run consecutively or concurrently, the courts often apply the 'single transaction rule'. This rule was recently applied by the Western Australian Court of Criminal Appeal in the case of 'Fred Finch' Supreme Court Library No. 5702 (see West Australian, 29 April 1985). In many cases the sentencing court will adopt a combination of concurrent and consecutive sentencing procedures with the result that the statistics that are collected will not always reflect the aggregate sentence that the prisoner is obliged to serve. Indeed, as will be seen, courts will often take a 'global' or wholistic view as to the proper overall

Table 2 Sentencing for Break, Enter and Steal
Higher Criminal Court Statistics 1978-1982 (NSW)

Sentence	1978	1979	1980	1981	1982	Total	Average (5 yr)	%
<u>Non-Custodial</u>								
Bond/Probation with or without fine	200	267	290	331	340	1428	285.6	43.4
Periodic Detention	6	7	12	13	16	54	10.8	1.6
Fine Only	-	2	-	1	-	2	0.4	0.1
Community Service Order	N/A	N/A	N/A	N/A	32	32	6.4*	1.0*
<u>Committed to an Institution</u>								
Juveniles	3	6	4	8	8	29	5.8	0.8
<u>Imprisonment</u>								
Under 1 year	14	28	27	33	33	135	27	4.1
1 year and under 2 years	74	51	75	72	87	359	71.8	10.9
2 years and under 3 years	91	82	92	111	132	508	101.6	15.4
3 years and under 4 years	84	79	70	98	94	425	85.0	12.9
4 years and under 5 years	42	37	30	25	45	179	35.8	5.4
5 years and under 10 years	26	31	25	24	27	133	26.6	4.0
10 years and more	4	-	-	-	2	6	1.2	0.1
<u>Total Imprisoned</u>	341	315	331	376	436	1779	359.8	54.7
<u>Total Distinct Persons</u>	544	589	625	716	816	3290	658.0	100
<u>Convicted</u>								
<u>Non-Parole Periods</u>								
Under 1 year	140	134	143	171	207	795	159.0	24.1
1 and under 2 years	107	94	104	109	125	539	107.8	16.3
2 years and under 3 years	34	23	25	26	32	140	28.0	4.2
3 years and under 4 years	13	6	10	4	5	38	7.6	1.1
4 years and under 5 years	2	1	1	2	2	8	1.6	0.2
5 years and under 10 years	6	2	-	-	3	11	2.2	0.3
10 years or more	-	-	-	-	-	-	-	-
Other	36	48	36	51	46	217	43.4	6.5

* This figure is misleading as CSO's were not available before 1982. The true average for CSO's is likely to be at least 32 or 5% of sentences imposed for this offence.

sentence to impose in a particular case and by no means follow a strictly mathematical equation in order to reach their sentencing verdicts. For this reason, caution has to be exercised in interpreting the statistical data, and an analysis of the sentencing decisions themselves is inevitable if a proper appreciation of the sentencing process and the difficulties inherent in it are to be obtained.

In order to examine whether the decision in Hayes was outside the pattern of sentencing outlined above, some 126 judgments from the New South Wales Court of Criminal Appeal, decided over a seven year period (principally between 1976 and 1983) were analysed. It is important to note that in the main only those offenders who are dissatisfied with sentences imposed upon them are likely to appeal against the severity of their sentences. Thus the cases on appeal tend to represent the most serious category of offences together with the longest sentences and so may also give a distorted picture of the general pattern of sentences for this offence. However, in four out of the 126 cases studied the Crown appealed against the leniency of sentences imposed. In these cases it may be assumed that the sentences imposed by the trial judge tended to err on the side of excessive leniency. These cases also are examined in this paper.

WHY STUDY APPEAL COURT DECISIONS?

The advantage of examining the decisions of the Court of Criminal Appeal is that it has the function of setting the policy that lower courts are required to follow. It acts as the pacesetter, declares the relevant principles to be applied to the sentencing decision, and in general attempts to ensure that a degree of uniformity or inconsistency in sentencing is achieved throughout the jurisdiction. Thus, when the Court of Criminal Appeal enunciates its reasons for either upholding or dismissing an appeal against the sentence imposed by the trial judge, it serves the dual function of instructing sentencers on how to structure their decisions in the future, and at the same time it serves to legitimate the practice itself.

The cases then, provide the principles that serve to establish the going rate for sentences in respect of particular kinds of offences, when committed by particular kinds of offenders.

A principle of justice is that like cases should be decided alike. Another assumption or principle in sentencing is that only the most serious cases attract the heaviest penalties. The following discussion, then, will focus upon some of the more serious offences found in the break, enter and steal category in order to discover what kinds of cases attract the highest penalties.

THE SEVERE SENTENCE CATEGORY

From 126 New South Wales Court of Criminal Appeal sentencing decisions involving break, enter and steal offences, there were 14 cases (involving 18 individual appellants) who received, in the aggregate, sentences of 10 years or more. In the majority of these cases the offenders admitted to the commission of a series of offences, some of which included charges that were more serious than break, enter and steal. For the reasons given above, many of these cases therefore will not be adequately reflected in the higher court statistics.

The usual pattern was that the offender pleaded guilty to several offences, including charges other than break, enter and steal, such as larceny, larceny of a motor vehicle, possession of housebreaking implements, forging and uttering, malicious damage, escape from institutions. Indeed in the most serious cases, armed robbery and sexual assault offences (rape) tended to overshadow the housebreaking charges. Where no violence was used, many of the offences that attracted the heavier penalties included one or more other factors.

TAKING OUTSTANDING OFFENCES INTO ACCOUNT

Offenders often admitted to the commission of further offences which were taken into account for the purposes of sentencing under the provisions of s. 447B of the Crimes Act. Under the terms of that section, outstanding charges may be taken into account by the trial judge when passing sentence. This procedure is permissible when a document in the form of the ninth schedule to the Act, is signed by a member of the police force and by the offender and has been filed in court. In these circumstances the court may, with the consent of the Crown, take any or all offences set out in the list into account during the sentencing process. In sentencing the prisoner in this way, the court may not sentence the person to a term exceeding the legislatively prescribed maximum penalty in respect of the offence for which he or she has been convicted (White, 1976).

In Hayes, it may be recalled, the court took into account a further 30 offences of break, enter and steal listed on a schedule. In Bell, Towers, and Bell (unreported decision NSWCCA, 30 March 1979) the court took into account 107, 27, and 35 other offences listed on a schedule and prison sentences of 15 years, 11 years six months and 12 years respectively were imposed. In Fowler and Fowler (unreported decision NSWCCA, 5 May 1983) the court took into account a further 88 and eight offences listed on a schedule and imposed prison sentences of 10 years and eight years respectively.

Another common feature of cases involving sentences of 10 years or more is that often the offenders net quite considerable

amounts of money from their criminal activities. For example, in Bell, Towers and Bell (supra) each offender netted \$65,000, \$47,000, and \$33,000 worth of goods respectively.

In McDonnell and Hinksman (unreported NSWCCA, 17 February 1983), McDonnell had pleaded guilty to five charges of break, enter and steal together with a further 11 substantially similar matters on a schedule, and Hinksman pleaded guilty to four charges of break, enter and steal with four substantially similar matters listed on a schedule. All offences involved non-residential clubs, cutting safes open with oxy-acetylene equipment, and stealing their contents. For their pains, a total amount of \$43,000 was obtained, of which only \$9,500 was recovered. McDonnell was sentenced to a total of 12 years imprisonment with a non-parole period of five years, and Hinksman received nine years with a non-parole period of five years.

In both McDonnell and Hinksman and Bell, Towers, and Bell, the court pointed to the sheer number of offences committed by each offender, and the period of time over which they were committed. The professionalism and planning added to the courts overall assessment of the gravity of these offences. These cases are consistent with Hayes who, it will be recalled, went about his business in a professional manner and had accumulated a total of \$37,808 worth of stolen goods over a period of eight months.

BREACH OF COURT OR PAROLE ORDER

A further common feature of the more serious cases is that often the offenders have a bad criminal record, and in addition, may be in breach of a bond, be on bail, or be on parole at the time they commit their offences. For example, Hayes, who had a record of convictions extending back to when he was 16 years of age, was on parole at the time he committed his offences. Similarly in Fowler and Fowler, both offenders were drug addicts with long records. The younger of the two was subject to two good behaviour bonds at the time of his offences, and the Court of Criminal Appeal expressed its reluctance to interfere with his sentence of eight years penal servitude coupled with a non-parole period of four years and three months.

The court's general attitude to breach of parole is summed up in the following observation of the trial judge and quoted with approval by Street C.J. in Sutton (unreported NSWCCA, 13 December 1979) a case involving several charges of breaking, entering and stealing from commercial premises:

It is seldom I come across a prisoner who has twice been admitted to parole on the same sentences and has twice had his parole revoked ... The object of granting parole is to give prisoners the opportunity of rehabilitating themselves and

to do so under supervision which is aimed at assisting that rehabilitation. This prisoner has shown himself to be quite incapable of or unwilling (I think the latter) to take advantage of what large numbers of the ordinary members of the community regard as the leniency shown to prisoners in the operation of the parole system. ... In my view it is incumbent on the courts to assist, if possible, in the working of the system by letting it be known that when a prisoner fails, and in particular when he deliberately rejects, as this prisoner did, the opportunity given him by the grant of parole, he can expect, as the Court of Criminal Appeal has said on many occasions, very little in the way of leniency.

Another case which attracted sentences in the higher bracket for break, enter and steal was that of Poole and Prest (unreported NSWCCA, 18 May 1984). The case involved breaking into bowling clubs and commercial premises, and stealing a quantity of property valued at \$18,259. Although the offenders had only been charged with two counts of break, enter and steal, and one of larceny, with a further three offences on a schedule, one offender was on parole and had a bad criminal record, while the other was on bail at the time of their offences. Sentences of 10 years with a three and a half year non-parole period and nine years with a three year non-parole period were upheld by the court.

Of course, not all offences involving large amounts of money, or several charges, or bad criminal records necessarily attract sentences in excess of 10 years. For example, in Sobey (unreported NSWCCA, 19 September 1980), the offender was charged with four counts of break, enter and steal with a further 92 matters listed on a schedule: 82 involving bankcard offences. His illegal activities netted him over \$40,000 over a period of five months. He was sentenced to imprisonment for eight years with a non-parole period of three years. With regard to mitigating factors, the court observed that he had no record of any substance and had a stable home life. He was 35 years of age and was a compulsive gambler. The court considered that his prospects for rehabilitation were good, but even so, declined to interfere with the sentence imposed by the trial judge.

In Hasson (unreported NSWCCA, 12 November 1981) the offender had pleaded guilty to five charges consisting of two charges of larceny of motor vehicles, one charge of breaking and entering a factory, and two charges of maliciously setting fire to factories. In addition, one further matter on a ninth schedule was taken into account. In one of the fires the building was completely destroyed, causing some \$255,000 worth of damages. The building and contents were only insured for \$128,000 and as a

consequence the company went out of business. Thirty employees, with long service leave entitlements lost their livelihood.

Hasson aged 24 years, had a minor criminal record. A psychiatrist described him as 'a psychopath of somewhat low mentality and addicted to alcohol'. The major mitigating factor in this case was that the offender suffered from a degree of diminished responsibility so that he was unable to appreciate fully the nature of the conduct in which he was engaged. In the result he was given a head sentence of seven years with a non-parole period of three years and six months.

VIOLENCE AND BREAK, ENTER AND STEAL

Cases of break, enter and steal where violence is used often attract sentences in the 10 years or over category. An example of the worst kind is that of Holder and Johnstone (unreported NSWCCA, 14 November 1983). In that case the Crown appealed against the leniency of sentences of 15 years penal servitude with a non-parole period of four years imposed upon each respondent in respect of their pleading guilty to break and enter and inflicting grievous bodily harm, robbery with striking and wounding, and having sexual intercourse without consent. Johnstone was also convicted of maliciously inflicting grievous bodily harm with intent to do grievous bodily harm. It should be obvious by now that this was not a typical case of burglary, and a number of offences that were committed carried the maximum penalty of life imprisonment.

The circumstances out of which these offences arose reveal that the respondents broke into a house at about midnight with the intention of committing a burglary. They had climbed in through the bathroom window and they were armed with an iron tyre lever and a small knife. The house was occupied by a mother and her eight year old son who were asleep. The woman awoke and, thinking that it was her husband, called out to him. The respondents then entered the bedroom and began striking her with the iron bar. At this point she began screaming, and Johnstone, attempting to quieten her down, tore her nightdress. Furthermore, in the course of the struggle the knife was plunged into her body. That, unfortunately, was not the end of the matter. Johnstone watched as Holder had intercourse with her, and then Johnstone also committed similar atrocities upon her. The violence was not only directed at the female occupant, for Johnstone struck the little boy with the tyre lever so severely that he had to be placed on a life support system for some 20 days after the event. The evidence indicated that the boy would suffer significant neuro-psychologic deficits in the future.

Before leaving the scene of the crime Johnstone ordered the woman to lie on her stomach and then he proceeded to stab her in the back. In consequence of this and the previous assaults, the

female victim suffered considerable injuries including a collapsed lung from a wound to her chest. She required 24 stitches to her head and had to undergo surgery in order to have the point of the knife, which had broken off in her sternum, removed from her back. The respondents took some bottles of liquor from the house and left both victims in a critical condition.

In allowing the Crown's appeal against the leniency of the sentences imposed, the court held that the trial judge had given too much weight to the circumstance that the respondents had pleaded guilty in order to demonstrate their contrition for what they have done. Both men had quite extensive criminal records and both were on parole at the time of the commission of these offences. Considerable significance was placed on the fact that the attacks were committed in what ought to have been the safety of the victim's home. In the result, the Court of Criminal Appeal substituted sentences of penal servitude for life upon both respondents.

In the course of his judgment, Priestley J.A. had this to say about the problem of sentencing those who commit a combination of offences for which there are no statistics:

The various elements which a sentencing judge must take into account in arriving at his sentences are, in my respectful opinion, well described in R v Williscroft & Ors. [1975] VR 1982. A feature of the discussion in that case is its recognition that 'ultimately every sentence imposed represents the sentencing judge's instinctive synthesis of all the various aspects involved in the punitive process' (at 300). The reported decisions show a constant effort by the courts to reduce the sentencing process to a reasonable degree of regularity and order and to eliminate so far as possible the idiosyncrasies of individual judges in arriving at the 'instinctive synthesis' spoken of in what is to me a very instructive example of this search for reasoned orderliness is the recent decision of this court in R v Visconti (1982) 2 NSWLR 104. This decision discussed in detail the desirability of even-handedness in sentencing. To obtain a reasonable degree of evenhandedness involves the sentencing court in being aware of the general pattern of sentencing in respect of particular types of crime. The pattern, once ascertained, will indicate to a court in a particular case a range within which the sentence should fall, bearing in mind the various factors which the court must consider. R v Visconti was concerned with sentencing for rape and in order to ascertain the general pattern of sentences for

rape the available statistics for a number of years were tabulated and considered. The use which was made of the statistics paid due regard to the limitations inherent in looking simply at the results of cases without considering the individual circumstances giving rise to each sentence which took its place in the statistics. Even in regard to a single crime such as rape, although the process can be stated plainly enough, the variety of factors to be weighed by the court makes for the possibility of considerable variation from judge to judge in particular cases within a relatively standard sentencing pattern. When there is a combination of offences such as in the present case the possibility of such variation increases because comparable cases are much fewer. Indeed, even if for the individual crimes to which Johnstone pleaded guilty there were relatively standard patterns, reference to them would be of little help in evaluating the appropriate head sentence for the combination of his crimes. So far as I am aware there is no statistical material available which would help in ascertaining any pattern of sentencing for Johnstone's combination of crimes. Nor do the head sentences in other cases give any but the most general assistance.

So much for an example of an extreme case of violence involving behaviour that commenced as a burglary of a dwelling house. Such cases are seldom classified as break, enter and steal offences, although the offenders involved in them may set out to do little else. No doubt it is partly on account of the fear that ordinary burglary can generate into the more serious assaultive crimes, such as armed robbery, or even murder, that the courts treat this offence so seriously. Less severe examples of the use of violence can be found in Ellem (unreported NSWCCA, 21 May 1982) where the offender pleaded guilty to two counts of break, enter and steal and a larceny in 1981, then two armed robberies, and a further count of robbery in 1982. The break and enter offences related to private dwelling houses while the robberies took place at service stations. Although these offences did not result in any physical injuries being occasioned to the victims, and further, although very little in the way of financial gain was involved, the Court of Criminal Appeal refused to interfere with the aggregate sentence of 12 years and a specified non-parole period of four years. Of particular significance in this case was that the appellant had a bad record of dishonesty, was subject to a current good behaviour bond when he committed the break, enter and steal offences and was released on bail at the time he committed the robberies. The court said:

Freedom on bail which is abused as an opportunity to commit further offences will necessarily result in the courts taking a serious view.

Another case involving offences of break and enter with intent to steal, unlawful sexual intercourse, and robbery, was that of Kennedy (unreported NSWCCA, 19 May 1983). The appellant appealed against the severity of an aggregate sentence of 11 years penal servitude with a non-parole period of five years and four months. In this case the offender had broken into a flat at the time when the female victim was in bed. When he confronted her she believed that he had a knife and submitted to sexual intercourse. At a later date he broke into another house and stole a rifle and assaulted the occupants with the rifle before decamping. The appellant had a history of violent sexual assaults and the court in dismissing his appeal against the sentence held that although the non-parole period was on the long side it was not prepared to hold that the trial judge had been in error.

The latter case may be contrasted with Talbott (unreported NSWCCA, 7 June 1984) where the prisoner was successful in having his sentence reduced on appeal. In this case, the appellant had broke and entered the victim's house by removing the flyscreen of a window. He found the occupant asleep in her bed. When she awoke she found him having sexual intercourse with her. Both the appellant and the victim, who were complete strangers, were under the influence of alcohol at the time of the offence. Afterwards the woman had seen the appellant to the door and appeared to have suffered no physical or psychological harm. It was the latter circumstance that persuaded the court to reduce his sentence to an effective term of imprisonment of six years. The original non-parole period of three years remained unaltered. Other facts in the appellants favour were that he had no prior record of violence or of sexual offences and had displayed genuine contrition for what he had done.

In Ryan (unreported NSWCCA, 17 December 1984) the appellant had pleaded guilty to armed robbery, larceny of a motor vehicle, and three break, enter and steal offences with a further 13 matters listed on a schedule. The offences took place in various suburban districts of Sydney and involved private homes. With regard to the armed robbery offence, the appellant had been known to the female victim and had left possessions at her premises in the past. On the day of the offence he confronted the woman and demanded money. He was wearing a balaclava and carrying a replica rifle wrapped in a sheet and he struck the woman on the head before leaving the scene. He obtained some \$60 cash, a mickey mouse boys watch, and a signet ring. With regard to the break, enter and steal offences, the appellant's modus operandi was to gain entry by smashing windows or breaking down doors. He stole electrical goods such as videos, and colour television

sets, cash and jewellery, the total value being some \$12,000. The Court of Criminal Appeal reduced his overall sentence of 14 years penal servitude with a non-parole period of six years to 10 years and five years respectively.

In the course of its judgment the Court of Criminal Appeal noted that the appellant was a drug addict and under the influence of drugs at the time of the offence. On this issue it adopted the views expressed by Street C.J. in Ildes (unreported NSWCCA, 21 September 1984) where it was said that the obtaining of money for drugs was not a justification for regarding the criminality involved in such offences as diminished and that therefore the sentences would not on that account be reduced. The court also referred to judgment of Street C.J. in Hayes (*supra*) where reference was made to the court's role in protecting the community from break, enter and steal offences through its sentencing policies.

In the present case, the court also took into account the number of offences listed on the ninth schedule, the intrinsic seriousness of the armed robbery offence, and the general prevalence of break, enter and steal crimes in the community. The appellant, aged 27 years, had numerous convictions dating back to the Children's Court. However, the court also observed that Ryan's offences were not carried out in a professional manner, that he expressed contrition, and that he had good prospects for rehabilitation. Applying the totality principle, the court felt that the effective sentence imposed by the trial judge exceeded the appropriate level that was called for in the circumstances. As indicated above both the head sentence and non-parole period were reduced.

The cases clearly reveal that the threat of violence or serious harm is sufficient to call for quite heavy sentences. For example, in Nolan (unreported NSWCCA, 11 April 1980) the appellant carried a .22 calibre revolver that could not work. He pleaded guilty to four charges of break, enter and steal but admitted to a further 57 offences on a schedule about half of which were for break, enter and steal. The crimes principally related to dwelling houses although it included one charge involving a chemist shop. The court approved of the trial judge's comments that the carrying of the weapons was an aggravating circumstance whether it worked or not. Furthermore, although only \$8,222 worth of property was not recovered, the appellant was sentenced to six years penal servitude with a non-parole period of two years. Another example of the way in which the courts treat the threat of violence is given in Blaikie, discussed below.

SOME APPEAL STATISTICS

Earlier it was pointed out that about half the number of persons who are convicted of break, enter and steal offences in New South Wales receive sentences other than terms of imprisonment. In Holder and Johnstone (supra) Chief Justice Street quoted statistics for 1981 indicating that in that year there had been 307 appeals relating to sentences. From this total, 62 appeals by convicted persons, and 7 appeals by the Crown, were successful. These figures of course refer to all offences brought before the New South Wales Court of Criminal Appeal in 1981. Similarly data for 1982 show that there were 391 appeals of which 95 were abandoned or withdrawn, 201 were dismissed, 36 had their terms of imprisonment reduced, 18 had their non-parole periods reduced, and 17 had their sentences increased (ABS, 1982 Table 19). During the same year there were 21 Crown appeals, 17 of which were successful, and four of which were dismissed (*ibid*).

An examination of statistics relating solely to break, enter and steal cases shows that of a total of 59 appeals during 1982, 25 were withdrawn, and 25 were dismissed. Of the remaining nine cases, five had their non-parole periods reduced, and four had their sentences reduced. Based upon these figures, it may be assumed that the incidence of Crown appeals relating specifically to this offence is likely to be very infrequent indeed (*ibid*, Table 20).

CROWN APPEALS

The present study, covering as it does, a period of some seven years of Appeal Court decisions produced four cases involving Crown appeals against sentence. One of these, Holder and Johnstone, has already been considered although, as indicated above, that case is not properly classified as one of break, enter and steal. The other three Crown appeals were (Ferguson, unreported NSWCCA, 21 May 1976), Noonan, Portus and Ryan (unreported NSWCCA, 6 November 1980) and Blaikie (unreported NSWCCA, 17 December 1984). The last three cases have in common the fact that they all involved challenges by the Crown against the imposition of bonds.

In Ferguson (supra) the respondent was originally given a four year good behaviour bond and ordered to pay a total of \$3,159 as compensation. He had pleaded guilty to five counts of break, enter and steal involving some \$3,000 worth of goods taken from dwelling houses. He had previously jumped bail so that the period between the time of his apprehension and the date of sentencing (some eight months) had contributed to the delay in sentencing him. The rationale for imposing the bond was that the respondent had recently married and that his wife was shortly to have a child. The Court of Criminal Appeal felt it should intervene because the good behaviour bond fell far short of what

was appropriate in the circumstances. It observed that the respondent had a prior criminal record and that he committed the crimes over an extended period of some one and a half years. In addition the court referred to an earlier decision decided in 1973, and observed as follows:

It has been said many times in this Court and in the District Court that the prevalence of the crime break, enter and steal must be put down in the interests of the preservation of the ordinary peace and confidence that citizens of this community are entitled to enjoy. Begg J., in 1973 in R v Sloane [1973], 1 NSWLR 202, at 212, expressed himself in terms that we have later expressly approved:

This crime is most prevalent at this time and it attracted the attention of the legislature in 1966 when the maximum term of imprisonment was increased from 10 years to 14 years.

I think it is an appropriate time for this Court to say in an emphatic way, if persons continue to resort to breaking into other persons' property and stealing contents (often valued objects), the courts will reflect the community feelings on this type of crime by upholding the severe sentences and, that if a series of crimes are committed by the one offender, by imposing cumulative sentences it will be made plain that he will be punished for each crime committed.

In the result, the court substituted for the bond a sentence of 12 months imprisonment in respect of each of the five offences and ordered that they be served consecutively. In addition, it specified a non-parole period of three years.

In Noonan, Portus and Ryan (unreported NSWCCA, 6 November 1980), three offenders were each charged with one count of breaking and entering a private dwelling and stealing a total of \$30,000, being cash and jewellery contained in a safe. They absconded with the safe and, after removing its contents, they jettisoned it in the Hunter River. In addition to a bond, the trial judge had imposed fines of \$300 on each offender. Amongst the mitigating considerations were the fact they pleaded guilty, that their prior criminality was insignificant, that they expressed a desire to obtain employment, and that they were young. However, the court acceded to the submission by the Crown that the sentences were inadequate and accordingly substituted sentences of three years imprisonment with non-parole periods of 12 months in respect of each respondent. In doing so, the court was

influenced by the circumstance that the crime was carefully planned and premeditated, and also by the fact that a considerable sum of money was involved.

In Blaikie (unreported NSWCCA, 17 December 1984) the Crown appealed against the leniency of a three year good behaviour bond imposed upon the respondent who had pleaded guilty to the following three charges: one count of break and enter with intent to steal from a dwelling house, one count of assault occasioning actual bodily harm, and one count of common assault. The circumstances were that the respondent had been caught by the occupant, an off duty police officer as he, Blaikie, was attempting to gain entry through a side window of the house. A struggle ensued during which the police officer was struck three times with a housebrick to the head. Ultimately, the police officer was able to arrest the respondent, but the prowler had to be treated in hospital for serious injuries to his head and right eye. On route to the hospital, the respondent deliberately tripped another police officer who, as a consequence, also needed treatment.

The respondent was 40 years of age and had a long history of criminal offences including rape, stealing, forging and uttering and malicious injury. He was on parole at the time that he committed these offences.

In upholding the Crown appeal, the court held that the three year good behaviour bond was manifestly inadequate and that a custodial sentence should be imposed. Accordingly, it substituted a head-sentence of six years and declined to specify a non-parole period.

Although the present study is not a statistical one, a breakdown of the 126 appeal decisions that were examined revealed that about one out of two involved the breaking and entering of dwelling houses. About one case out of five involved shops, (a third of these were chemist shops), and the next highest proportion about one in 10 consisted of larger commercial premises and factories. Most other offences took place in clubs, garages, car yards, or service stations. Only a small proportion involved offices, schools, or bottle shops, although it should be noted that in over 10 per cent of the cases the Court of Criminal Appeal did not specify the kind or kinds of premises broken into.

In general, offenders who broke into clubs and larger commercial premises tended to be more professional and carry more preparatory equipment than their dwelling-house targeting counterparts. In Stewart (unreported NSWCCA, 17 December 1981) the appellant had been found not guilty of breaking, entering and stealing from a dwelling house, but had been convicted of possessing housebreaking implements. The housebreaking

implements consisted of a screwdriver and a pair of long socks. The socks were used in lieu of gloves as a means of concealing his finger prints. However, the appellant received a prison sentence of 18 months commencing from the expiration of a five year term that he was currently serving. Stewart was aged 23 years at the time of his offence, was not intellectually bright, was a heroin addict, and had a record of convictions commencing in 1974. Although the trial judge had declined to specify a non-parole period on account of what was described as the appellant's persistent criminality, the court nevertheless held that the appellant should have the benefit of a non-parole period. Accordingly a minimum term of 12 months was specified.

PROFESSIONALISM

The unprofessionalism evidenced in the latter case can be compared with Perry (unreported NSWCCA, 23 October 1981), where the court refused to interfere with a sentence of four and a half years without a specified non-parole period. The appellant had pleaded guilty to three charges of breaking into clubs and stealing the contents of safes. He was 52 years of age and had a lengthy prior criminal record, including an offence of shooting with intent to prevent apprehension, for which he had been sentenced to 14 years penal servitude. To make matters worse, he was on bail at the time of his present offences. In upholding the aggregate sentence imposed by the trial judge, the court made reference to the appellant's professionalism with regard to the way in which he carried out his offences.

An example of professionalism already discussed, was that of McDonnell and Hinksman (*supra*) where, it may be recalled, the appellants broke into several non-residential club premises and used oxy-acetylene equipment to penetrate safes thereby netting themselves some \$43,000. A similar example is that of Cox and Formby (unreported NSWCCA) where the offenders stole \$80,949 from commercial premises by using oxy-acetylene equipment. These offenders were aged 21 and 23 years respectively, had no prior criminal records, and came from stable family backgrounds. Even so, the court declined to interfere with their sentences, and they each received an effective seven and a half years term of imprisonment coupled with a non-parole period of four years.

On the face of it, there would appear to be little to distinguish the circumstances surrounding the preceding two cases, yet the head sentences imposed were quite disparate: 12 years in the case of McDonnell and Hincksmann, 7 1/2 in the case of Cox and Formby. Both involved extensive planning, and use of oxy-acetylene equipment; both involved five charges with additional offences listed on a schedule (11 and 15 respectively for McDonnell and Hincksmann and 49 each for Cox and Formby); both had good backgrounds without any significant record of convictions; and both obtained considerable sums of money as a result of their nefarious activities.

To conclude that these two cases were unfairly disparate,

however, would involve the assumption that there were no other aggravating or mitigating factors relating to these cases. Reasons given in judgments do not always reveal all the relevant facts, but prima facie at least there would appear to be room for concern that the sentences imposed upon one or other of these two groups of offenders were excessively severe or unduly lenient. When, however, the specified non-parole periods are examined, the same degree of disparity is no longer apparent. Each offender received a specified non-parole period of four years, with the exception of McDonnell who received a five year term. Therefore, examining these sentences from the minimum term of imprisonment that each offender is likely to serve, the sentences assume a different perspective and no longer appear to be unduly disparate. However, not all persons eligible for parole are released at their earliest date. Furthermore, those with longer head-sentences are likely to remain under supervision for longer periods. Thus, head-sentence disparity remains an important consideration for sentencers concerned with equitable sentencing practices.

In McDonnell and Hincksman, Cross J. justified his approach in the following terms:

Parliament has seen fit to enact, as the Chief Justice has said, that the maximum penalty for breaking, entering and stealing is 14 years' penal servitude. But if one was to speculate on or imagine the type of bad case that might attract that maximum penalty, one's mind would probably turn to a case of bold intrusion into premises, such as office premises or a licensed club, where a safe was likely to be, the use of oxy-acetylene equipment, sledge-hammers and other implements for the purpose of opening the safe, and the removal of substantial sums of money. This is precisely what happened in this case, not once but on a very large number of occasions. The amount of money taken was substantial and no satisfactory explanation has been advanced as to its dissipation or its present location.

AT THE LOWER END OF THE SCALE

A common feature found at the lower end of the imprisonment scale is that the cases often, but not always, involve only one or two isolated offences. Nevertheless, the individual offences themselves may be quite serious in that courts feel obliged to impose custodial sentences rather than select one of the non-custodial or semi-custodial alternatives.

In Davis (unreported NSWCCA, 23 June 1983) the appellant had pleaded guilty to several charges of larceny, and break, enter and steal. Originally the sentencing court had bound the

appellant over to be on good behaviour for four years. The appellant also undertook to repay \$1,159 by paying monthly instalments of \$25. When he defaulted in repaying the monthly instalments, having made one payment only, he was brought up for sentencing in respect of his original offences. As a result, the trial judge sentenced him to a term of 18 months penal servitude, with a non-parole period of nine months. At his appeal, the New South Wales Court of Criminal Appeal found that he defaulted at the relevant time because he was unable to pay compensation at the required rate. In allowing the appeal, the court held that while it was proper to sentence the appellant in respect of the original offence as a consequence of a breach of his recognisance, it was not proper in the circumstances for the trial judge to penalise the appellant for not being able to pay the compensation. Accordingly, the court quashed the sentence imposed by the trial judge and substituted a term of imprisonment of two months and five days (being the amount of time that the appellant had already served in prison). In addition, it ordered the appellant to pay compensation at the rate of \$20 per month.

In Horne and Shaw (unreported NSWCCA, 2 May 1980) the appellants were successful in having their sentences reduced from two years penal servitude to one year. They had committed one offence of break, enter and steal which involved the theft of a safe containing drugs from a chemist shop. The trial judge had declined to set a non-parole period because of the poor antecedents of the appellants, and particularly because they had previously shown themselves to be disinclined to abide by the terms of bonds and parole orders. Although the Court of Criminal Appeal discussed the statutory obligation of courts to set non-parole periods, it held that the trial judge was fully justified in refusing to set non-parole periods in the special circumstances of the present case.

In Jackson (unreported NSWCCA, 30 October 1980) the appellant, a 16 year old youth, had pleaded guilty to three charges of break, enter and steal, together with a further 25 matters listed on a schedule. The offences had been committed in company with an older man who played the dominant role in these offences. On the one hand, the court recognised that the appellant's childhood had been disrupted, that he was a low achiever academically, and that he had no earlier involvement with the criminal law. On the other hand, it was unable to regard the offences as negligible. Accordingly, the court refused to interfere with the trial judge's sentence which consisted of the committal of the appellant to an institution for 12 months, as well as the imposition of a two year good behaviour bond.

THE AGGRAVATING FACTORS

With regard to the longer prison sentences, certain features are commonly found. These may be summarised as follows:

1. Often offenders are charged on several counts of break, enter and steal, and ask the courts to take into account a large number of similar offences for the purposes of sentencing.
2. Often the offences are committed over a comparatively long period of time.
3. Often the offences are carefully planned and are executed in a professional manner. Professionalism is often inferred from the kind of equipment carried by the offenders, for example, oxy-acetylene equipment for breaking into safes.
4. Often the offences or the accumulation of offences involve large sums of money.
5. Often the offenders have a long record of similar crimes and may be in breach of a bond, probation, or bail condition, or may be subject to parole at the time that they commit further offences.
6. Often where violence, robbery, or sexual assault is associated with break and enter offences, particularly lengthy terms of imprisonment are imposed. This is even more evident where serious physical injury is occasioned to innocent victims.

SOME CONCLUDING COMMENTS

It is always difficult to determine the appropriate level of punishment for any crime, let alone for break, enter and steal. Yet, having regard to the penalties imposed for violent offences, such as armed robbery, sexual assault offences, and even manslaughter, sentences exceeding 10 years for break, enter and steal, where no violence is involved, appear to be excessively severe. From the statistics quoted earlier, it is apparent that sentences for individual break, enter and steal offences seldom exceed five years. Typically those who are sentenced to terms of imprisonment receive prison sentences of between one and three years in respect of their most serious offences. Accordingly, it is submitted that the legislature would afford a far better guide to sentencers if the maximum penalty for this offence were to be reduced from 14 years to seven years penal servitude. Courts could then regard seven years as the appropriate penalty for the most serious cases of break, enter and steal and still have the flexibility of imposing cumulative or longer sentences in appropriate circumstances.

It is further submitted that sentences exceeding 10 years for this offence should be avoided, even in circumstances where a wholistic view is taken of the gravity of several offences

committed by multiple offenders. This approach would not offend against the principles of deterrence community protection and just retribution but rather would support them. It would support these principles by ensuring that a distinction is drawn between non-violent property offences and property offences involving violence. Serious violent crime commonly attracts prison sentences in the region of 10 or more years. Even the majority of life sentenced prisoners serve little more than 10 years of their sentences before being released into the community.

Similarly, offenders convicted of several armed robberies, for example, are unlikely to receive sentences that are any more severe than those imposed upon Hayes (supra). Thus, as the present sentencing policy stands, there is little to separate the penalties imposed upon those who commit multiple, but non-violent, break, enter and steal offences from those who commit the most serious crimes in the criminal calendar.

Most would agree that increasing penalties upon armed robbers is unlikely to reduce the incidence of such robberies because sentence lengths are already comparable to those served by life sentenced prisoners. Hence, the object of deterrence may best be pursued, not by increasing but by reducing penalties for break, enter and steal. Such a strategy may help to discourage those who, regardless of penalty, would engage in housebreaking, from committing the more violent crimes that are sometimes associated with that activity. It would also serve to indicate that the criminal law through its sentencing policies will regard injury to persons more seriously than invasion of privacy, property damage, and theft.

Finally, one should question the extent to which courts, through their sentencing policies, can bring about a reduction in this crime. One of the first lessons offenders learn in gaol is how to break into cars and become more effective criminals. Until a radical change takes place in penal institutions, keeping offenders out of gaol may still be one of the most effective ways of ensuring that they will not graduate into hardened criminals.

This thesis, then, presents a fundamental dilemma for criminology. Courts talk about protecting the community by imposing long sentences of imprisonment on offenders who are caught, and by threatening would-be offenders with harsh measures should they succumb to temptation. Prisons, it is said, are intended to deter, isolate, and rehabilitate offenders. Yet it is common knowledge that penal institutions do not do any of these things particularly well. The very process that is intended to prevent crime ensures its continuance. Accordingly, it is futile to expect that the punishment system can resolve single handedly the present predicament concerning the incidence of housebreaking. Realistically, courts, through their sentencing powers, can only provide a band-aid solution for what has apparently become a gaping sore, and one for which there is no immediate or otherwise readily discernable remedy.

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DRUG RELATED BURGLARY IN
NEW SOUTH WALES

Ian Dobinson
Project Officer
NSW Bureau of Crime Statistics and Research

The seriousness with which burglary is held was most recently expressed by the New South Wales Court of Criminal Appeal in Hayes' Case on 8 May 1985.

In this case an original sentence by Goran J. of a 13 year head sentence and 8 years non-parole period, was upheld unanimously by the Appeal Court.

The court in dismissing the appeal held that the courts in sentencing for break, enter and steal should reflect more appropriately the seriousness of the offence in light of the 14 year maximum and the increasing frequency of the offence.

A comparison of annual rates of both domestic and other burglaries does indeed indicate an alarming increase in the commission of this crime. Table 1 shows the rates for the years 1973-83.

What has caused this increase? If media statements are anything to go by this 'epidemic' of burglary is attributable almost solely to the use of drugs, in particular heroin. Although Hayes was not a drug addict, police have released estimates that in excess of 70 per cent of both burglaries and armed robberies are committed by individuals seeking to support their drug habits.

It was in this atmosphere and particularly in response to such estimates that the Bureau commenced its research in January 1983 into the relationship between drug use and property crime.

The primary objective of this study was twofold:

1. to determine the extent to which those who commit property crimes use particular addictive drugs, especially heroin; and
2. having identified those who are regular users, to then explore the relationship between such use and the commission of property crime.

Table 1 Crime Rate per 100,000 Persons - Accepted Reports
1973-83

Property Breakings				
	Breaking Entering and Stealing from Dwelling Houses	Breaking Entering and Stealing from other than Dwelling Houses	Housebreaking Implements in Possession	TOTAL
1973	413.05	326.80	1.27	741.12
1974	534.55	355.65	1.32	891.51
1975	485.78	357.91	1.56	845.25
1976	477.89	369.41	1.89	849.19
1977	508.14	396.41	1.65	906.20
1978	575.16	446.89	2.61	1024.66
1979	566.05	421.33	2.21	989.59
1980	633.14	465.38	2.55	1101.07
1981	818.16	511.45	3.16	1332.77
1982	1009.06	558.43	4.31	1571.80
1983	1260.14	595.88	6.41	1862.44

As it is impossible to properly sample so-called property offender or drug user populations, due to the fact that their sizes cannot be measured, it was decided to use identifiable sub-groups of these populations. The first sub sample selected was incarcerated property offenders and the method of data collection was self-report. The following overview of the results deals in particular with break, enter and steal.

Results

In total, 225 prison property offenders (210 - male, 15 - female) were interviewed between May and August 1983 at various metropolitan and country penal institutions. The sample was divided into two groups, users and non-users. All those respondents who specified a heavy or regular use of one or more of the following drugs in the specified period prior to arrest were classified as users. These drugs were barbiturates/hypnotics, cocaine, heroin and other opiates (including synthetic narcotics). There were 89 (39.6 per cent) users and 136 (60.4 per cent) non-users in the sample.

This proportional breakdown varied, however, where specific offence categories were compared. Notably a 50-50 split was found in the break, enter and steal category where 33 individuals presented as non-users and 32 as users.

Table 2 Major Offence Breakdown

Major Offence	User		Non-User		Total	
	Number	%	Number	%	Number	%
Armed Robbery	31	44.9	33	55.1	69	30.7
Robbery	3	17.7	15	83.3	18	8.0
Fraud	3	21.4	11	78.6	14	6.2
Forgery	5	55.6	4	44.4	9	4.0
Break, Enter and Steal	32	49.2	33	50.8	65	28.9
Larceny	10	47.6	11	32.4	21	9.3
Motor Vehicle theft	2	9.1	20	90.9	22	9.8
Receiving	3	42.9	4	57.1	7	3.1
TOTAL	89	(39.6)	136	(60.4)	225	100.0

Heroin was by far the most popular drug consumed by users, 87.6 per cent (78) specifying this as their main drug or drug of choice. An amount of one weight gram of street pure heroin per week was adopted as the minimum consumption rate for the regular user of heroin. As heroin users comprised such a large percentage of the overall user group it was decided to relate the bulk of the data to them.

In this regard it was found that heroin users consumed a median amount of seven weight grams of street pure heroin (10-15 per cent) per week. Cash purchase was the main way of obtaining heroin for 92.3 per cent of users with a median weekly expenditure of \$2,000 (\$300 per day).

The main source of income for users was illicit activities (property crime 78 per cent, and drug sales 9.0 per cent). Non-users, however, tended to obtain their income from licit sources, job 40 per cent, and social security 24.4 per cent.

Where respondents specified an amount of money obtained from property crime they were asked to indicate the main type of crime involved. Nearly 50 per cent of users specified, break enter and steal as their main form of property crime. Nearly 30 per cent specified armed robbery. These two crimes were similarly popular amongst non-users although to a lesser degree (26 per cent break, enter and steal, and 17 per cent armed robbery). Forty-one per cent of non users also reported making no money from their crime whereas only 4 per cent of users reported this. Where no money was obtained, this was related to situations where offenders were apprehended whilst in the act, before they could 'fence' stolen property, or that no property of any value was obtained. Users, in fact, had a median weekly income level of \$1,500 per week from property crime (as mentioned above, mainly burglary).

Involvement in Property Crime

Table 3 quite clearly demonstrates the greater involvement of users in the commission of property crime than non-users. This was especially true where the crime was break, enter and steal. The difference in the category break, enter and steal that was greater than \$100 was found to be highly significant. Such results as these, although not proving police estimates, certainly support the suggestion of a greater proportion of drug related burglaries than non-drug related.

This greater involvement in the commission of break, enter and steal was further shown when the probability or likelihood of the regular commission of break, enter and steal was compared between users and non-users. In this regard there was a 73 per cent chance that a user would progress from an initial break, enter and steal to the regular commission (at least one per week) of that crime at some stage in their criminal career. This compared to only a 31 per cent chance for non-users.

Table 3 Property Crime in Period Prior to Arrest

	User		Non User	
	N	No. of Crimes	N	No. of Crimes
Break, Enter and Steal <\$100	11	283 ^a	15	59
Car Theft	24	600	45	296
Break, Enter and Steal <\$100	60	6071	51	507
Robbery (unarmed)	4	98	14	76
Shoplifting	13	1036	5	209 ^c
Armed Robbery	38	339	41	93
Fraud	29	1015	20	297
Chemist Break, Enter and Steal	11	127	2	3
Other Larceny	4	13	12	147
Receiving	10	147 ^b	11	209 ^d

(a) One respondent had committed 200 of these crimes

(b) One respondent had received stolen property 80 times

(c) One respondent had shoplifted on 156 occasions

(d) One respondent had received on 130 occasions.

Another obvious concept of the relationship is that of intoxication. Respondents were asked to specify their level of drug and/or alcohol intoxication at the time they committed the major offence(s).

Table 4 Intoxication at time of Major Offence

	Drugs	Alcohol	Drugs and Alcohol	'Sick' ^a	Nothing
Armed Robbery (n = 65)	18 (27.7)	4 (6.1)	5 (7.7)	10 (15.4)	28 (43.1)
Break, Enter and Steal (n = 65)	20 (30.1)	8 (12.3)	7 (10.7)	7 (10.7)	23 (35.4)

(a) This category related to those users who were 'hung out' (sick) from the lack of drugs and it was felt that this too was a drug induced effect.

As can be seen nearly 65 per cent of all those convicted of break, enter and steal had some level of drug and/or alcohol intoxication. When users were looked at alone it was found that this was much higher with nearly 90 per cent reporting some level of intoxication.

The Relationship Between Drugs and Crime

What then is the relationship between drugs and crime? Much of the above information demonstrates a relationship which may be best explained by economics. Nearly 90 per cent of users specified 'money for drugs' as the main reason for their property crimes (see Table 5).

Is it then that drug use causes crime, or that drug use and crime are merely products of the same deviancy? When respondents were asked to report the effect of their regular use of heroin on their crime (both property and drug sales) 47.4 per cent said it caused it, while 50 per cent said it increased their crime. Further light, however, was thrown on their relationship when ages of first crime and regular crime, and ages of first and regular heroin use, were compared.

Table 6 shows that 71.8 per cent reported a first instance of property crime prior to their first use of heroin. Regular property crime, however, (60.3 per cent) tended to occur after the first use of heroin. More information is obtained when individual offence types are compared.

Table 5 Main Reason for Committing Major Offence User/Non-User

Main Reason	User		Non-User		Total	
	No.	%	No.	%	No.	%
Group	-	-	7	5.1	7	3.3
Money unemployed	-	-	21	15.4	21	9.8
Money for drugs	70	89.7	2 ^a	1.5	72	33.6
Easy money	2	2.6	10	7.4	12	5.6
Kicks/boredom	-	-	6	4.4	6	2.8
Money for support	2	2.6	16	11.8	18	8.4
Drugs not addict	2	2.6	3	2.2	5	2.3
Debts	-	-	9	6.6	9	4.2
Particular item	-	-	2	1.5	2	1.0
Living	1	1.3	1	0.7	2	1.0
Lost temper	-	-	1	0.7	1	0.5
Can't explain	-	-	6	4.4	6	2.8
Drink and/or drug intoxication	-	-	17	12.5	17	7.9
Money for drink	-	-	4	2.9	4	1.9
Emotional upset/depressed	1	1.3	3	2.2	4	1.9
Innocent/innocent accessory	-	-	13	9.6	13	6.1
Gambling	-	-	2	1.5	2	1.0
Maintain high living style	-	-	2	1.5	2	1.0
Get square	-	-	8	5.9	8	3.7
Motor vehicle for transport	-	-	3	2.2	3	1.4
TOTAL	78	100.0	136	100.0	214	100.0

(a) These two respondents were alcoholics.

Table 6 Temporal Sequence of Crime and Heroin Use

	FIRST CRIME						REGULAR CRIME ^a					
	Before		After		Simultaneous		Before		After		Simultaneous	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
First Heroin	56	71.8	21	26.9	1	1.3	22	32.4	41	60.3	5	7.3
Regular Heroin	60	76.9	17	21.8	1	1.3	29	42.6	31	45.6	9	11.8

(a) Ten respondents never got involved in regular crime of any sort.

As can be seen from Tables 7 and 8, where crimes occurred before first use of heroin, they were usually of a juvenile and less serious nature, shoplifting and motor vehicle larceny (including take and use conveyance, joy riding). Conversely armed robbery and fraud occurred after this. Similar patterns were also obtained when looking at regular crime and regular heroin use. Break, enter and steal, however, was a notable exception with 42 per cent of users specifying a first instance of this crime prior to their first use of heroin. In fact only 9 per cent said they had never committed a break, enter and steal. Regular break, enter and steal, however, tended to occur most often after or simultaneously to the regular consumption of heroin.

There are those, however, who believe that the relationship between drugs and crime is neither causal nor statistical. It has been suggested (for example, McBride and McCoy, 1981) that the relationship is a spurious one, in that drug-using behaviour and criminal behaviour are seen to be the result of the same variables. Dai (1937), for example, found that within the city of Chicago, those areas with high rates of heroin use were also characterised by poor housing, disrupted families, transient populations, lower socioeconomic status, and high delinquency rates. In the present study it was found that both users and non-users were mostly unemployed at the time of their arrest, and, in terms of educational achievement, most had not attained their School (Intermediate) Certificate. Both groups were also likely to have had previous criminal convictions and, in terms of age, had progressed from instances of petty and juvenile crime to more serious property crimes. The suggestion is that if this hypothesis is true, then attempts to break the drugs-crime relationship without affecting the context within which they occur will be futile in the long term.

While this argument may explain why people initially use heroin and/or commit crime, it fails to explain the difference in criminality between user and non-user prisoners. If the two groups are a product of the same social milieu, it would seem that the high cost of heroin is the only factor that can account for this difference.

The implication is, therefore, that a decrease in price may result in a decrease in property crime. Such a hypothesis may well have historical support. It is known, for example, (from information obtained from drug treatment sources) that the price of a weight gram of street pure heroin has risen dramatically from about the mid 1970s through to today (1976, \$70 to 1983, \$350). It is further known that the rates for particular property crimes, such as, break, enter and steal and armed robbery, have also increased.

Table 7 Temporal Sequence of First Property Crime and First Heroin Use

Offence	Before Heroin	After Heroin	Simul- taneous	No First Crime	
				No.	%
Break, enter and steal	35	28	8	7	9.0
Motor vehicle larceny	33	5	5	35	44.9
Robbery	9	17	5	47	60.3
Shoplifting	38	10	3	27	34.6
Armed robbery	2	34	4	38	48.7
Fraud	8	35	3	32	41.0
Other larceny a)	13	12	3	49	62.8
Receiving b)	3	13	6	55	70.5

a) One person was unable to specify when he first became involved in 'other' larceny.

b) One person was unable to specify his first instance of receiving.

Table 8 Temporal Sequence of Regular Property Crime and Regular Heroin Use

Offence	Before Heroin	After Heroin	Simul- taneous	No Regular Crime	
				No.	%
Break, enter and steal	15	22	15	26	33.3
Motor vehicle larceny	12	-	3	63	80.8
Robbery	2	3	5	68	87.2
Shoplifting	8	8	2	60	76.9
Armed robbery	-	11	5	62	79.5
Fraud	3	19	1	55	70.5
Other larceny	1	3	1	73	93.6
Receiving b)	-	3	1	73	93.6

a) One person was unable to specify when he began receiving on a regular basis.

Further to the results detailed here, it must be remembered that they relate only to New South Wales. In this regard New South Wales, and in particular Sydney, may well be in a unique position nationally, for the estimates are accepted, state and national, for the size of the 'hard core' heroin user populations (as documented in the Williams and Woodward Royal Commissions) then between 50 and 60 per cent of the national figure may reside in New South Wales with the vast majority of these living in the Sydney metropolitan area.

The applicability of these results and their interpretation is also restricted in the New South Wales context. The most problematic area, in the study of drug use and crime, has been the attempts by many researchers to relate the findings of their particular studies to what has been described as a total user or addict population. To do so, is indeed tempting given particular estimates of total addict populations. Resultant figures, however, it is contended, are not only misleading but are dangerous in terms of their effect on future drug policy. The problem of drawing inferences about the heroin user population from specific addict samples is best illustrated by examples. Based on an estimated number of addicts in New York city, a daily average habit cost, and the assumption that the addict must sell his or her stolen property to a fence for only about a quarter of its value, Singer (1971) calculated that addicts must steal some 4 to 5 billion dollars a year to pay for their heroin. As Singer stated, however, 'if we credit addicts with all the shoplifting, all of the theft from homes, and all of the theft from persons, total property stolen by addicts a year in New York city amounts to only some 330 million dollars'.

Similar anomalies can be observed when using such multiplying techniques on the data obtained from the Bureau's study. If, for example, the estimated 10,000 New South Wales heroin addicts (Woodward, 1980) are attributed with a median weekly expenditure of \$2,000 per week on their heroin, it is calculated that this user population expends some one billion dollars annually on heroin. It was also found in the study that the average number of burglaries committed annually by each member of the heroin user group was 143. Applying these average crime rates to the accepted reports for these particular crimes in 1982, it can be calculated that 581 individuals would have accounted for all reported burglaries. If, however, the 1982 New South Wales court statistics are referred to, it is found that 763 individuals were imprisoned for break, enter and steal. Given also the low known clear up rate, for especially break, enter and steal, such calculations seem blatantly wrong. The possible conclusions, therefore, are that either the addict population is a lot smaller than suggested, and/or that the average consumption rates, expenditure levels, and crime rates of this

sample are not representative of the total addict population. As we are unable to say much that is precise about the size of the addict population in New South Wales, it would seem that the latter of these two conclusions is the more acceptable.

Can anything be said then about or attribute to this larger user population? Governments, for example, are understandably concerned with the overall size of the drugs/crime problem. Potteiger (1981) suggested that some of these problems might be overcome by looking at large multiple samples, gathering data on the same drugs and crime topics, and using the same data collection instrument for randomly drawn samples of both captive and active user offenders. Where this is not possible or has not been done, however, conclusions may still be valid and of great value as long as they are interpreted as pertaining to the particular sample chosen and not to the heroin user population in general.

It is the Bureau's aim that such an approach as suggested by Potteiger be followed and, in this regard, a study has commenced, which seeks to obtain data on the drug use behaviour and criminality of those individuals in or seeking the range of drug treatments presently available in New South Wales. This will be followed by a study of both custodial and non-custodial (but non-treatment) drug offenders. Notwithstanding this, however, it would seem that there also exists a group of individuals who have had neither contact with the criminal justice system nor with the treatment system. Once again it is hoped, possibly through secondary contact, to obtain information with regard to the drug use behaviour of this group. The Bureau is also involved in a study of bail for serious drug offenders, the monitoring of the price and purities of street heroin and the ethnography of drug distribution networks in Sydney.

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RESEARCHING PROPERTY CRIME: METHODOLOGY

AND POLICY IMPLICATIONS

Dr Jeff Sutton
Bureau of Crime Statistics and Research
Sydney

INTRODUCTION: THE WORK OF THE BUREAU

The Bureau of Crime Statistics and Research was established to undertake research on the causes of crime and the development and evaluation of government policy within the criminal justice area, including police, courts, and prison systems. Current research projects include studies of drugs and crime, domestic violence, sexual assault, probation and parole, armed robbery, women in prison, random breath testing and victim services. The Bureau maintains large statistical collections of appearances before the New South Wales local courts, and detentions under the Intoxicated Persons Act, 1979, No. 67 (NSW). It also co-ordinates statistics published by other criminal justice agencies and has a responsibility to provide public information and publish its findings. Over 100 reports, conference papers, and academic articles have been published. An indication of the Bureau's recent work can be obtained from Findlay, M., Egger, S., and Sutton, J., Issues in Criminal Justice Administration, published by Allen and Unwin in 1983.

An involvement in the education of criminal justice personnel is also included in the Bureau functions. It has worked on the development of external course materials for the Associate Diploma in Justice Administration at Mitchell College of Advanced Education and it jointly manages the Centre of Studies in Justice with the Mitchell College School of Social Science and Welfare Studies. Seminars for magistrates have also been conducted and a post graduate program in sentencing for magistrates is now in preparation.

RESEARCH METHODS

Official Statistics and Record Based Research

Much criminological research is fuelled by the analysis of records derived from bureaucratic processes in the various stages of the criminal justice system. The Bureau's research is frequently of this nature. As very few government agencies aggregate statistics derived from such records there is a great deal of valuable data to be mined, with the added benefit of providing information relevant to planning and implementation of policy. The strongest, most recent work on burglary in this country arising from this approach is by Dr Satyanshu Mukherjee, convenor of this seminar.

The Bureau of Crime Statistics and Research hopes to make a complementary study to Dr Mukherjee's, directed at police data obtained after the formation of the Anti-Theft Squad. In the proposed study the police criminal incident information reports would be examined to produce categories of modus operandi (for example, mode of entry, instruments used), tabulated by offender characteristics (where apprehended), and victim characteristics (including location of premises and security arrangements). To the extent possible, the information would be obtained from the police computer coded information system.

Research Design and Survey Research

Although the research design is not ideal the data collection will lead to information that is relevant to policy, that is, decision making by government and non-government agencies and even individuals working in the field. The most common precaution is to use several different research approaches.

Political decisions, made on the basis of data, seem most frequently to depend on the two extremes of the data collection process: official statistics, and the case study, the latter arising from individual lobbyists or the MP's experience with particular personal situations. There are many variations between these extremes. Official statistics which, one hopes, are actual indicators of social condition, are a necessary background to an informed public debate or decision making process. An alternative, where there is no available official population data collection, is the population survey. This is quicker but requires a large investment over a short term and the results need careful interpretation due to sampling errors.

However, the statistical or social survey data can provide the framework for more particular studies. Ideally the groups studied should be identifiable sub-samples of the population categories identified in the larger surveys or official collections. This is how the Bureau usually works when evaluating programs or legislation. The common feature of all these methods is that the results appear in aggregated form without identifying or even being able to describe the conditions of any individual case. Of course, individual cases are often interviewed in depth when doing the pre-tests to the construction of the interview schedule. Whilst the aim of such research is not to detail the individual experience but to describe population categories from which generalisations can be made and, perhaps, intervention strategies determined, it is desirable that the aggregate descriptions of such categories be given some life through individual case studies. If such cases can be identified as belonging to a population group with measurable characteristics then some of the disadvantages of relying on the individual case can be avoided. Moreover, the human problems which are the basis of any applied

research are best understood by many in terms of individual examples. Such case studies can bring home to people the more general truths established by the broader research in a way that no set of percentages can.

It is also hoped, in the Bureau, to commence a study of the career paths and reconviction patterns of those convicted of domestic and commercial burglary. This would be complementary to the Bureau armed robbery study, funded by the Australian Bankers Association, which uses the same sampling period and procedure in order to make a comparison between the motivations and background of those committing the two major categories of property crime. Data would be based on a study of police and court records and interviews with a sub-sample of offenders.

Ethnographic Research

A flaw in surveys and official data collections and individual interviews is that they do not effectively describe the dynamic relations between people that are often the basis of difficulties in implementing particular programs. They also depend on official lists or other procedures like map grid techniques for locating individuals. If there is no clear basis for establishing a sampling or population collection frame then the difficulties of survey research may be insurmountable.

Another approach which enables an investigation of initially unknown sub-populations and also a description of dynamic relations is the ethnographic method. Essentially, these are social anthropological methods developed on rural and tribal populations applied to urban situations. Much work on these lines has been conducted in recent years; in Australia more particularly in the study of ethnic groups and distinct communities. The Bureau is using this approach to make a study of drug addiction and distribution patterns. This method has the potential to describe some sub-cultures or groups and even loose networks in a way which no survey could achieve.

Ethnographic methods could be valuable in a study of the life styles involved in persistent burglary, and the Bureau is intending to use this method in drug related burglary. It also needs to deal with the patterns involved in the acquisition and use of property and money derived from burglary, to study the difference between the actions of the so called 'professional thief' and crimes of opportunity. What are the forces lying behind entry into a life of persistent burglary? What other crimes are committed in such a life and what are the time intervals involved? How does it stop? These questions can only be answered through detailed case studies arising from sample studies and/or by ethnographic work.

Any applied or policy research must then take several research approaches, each related to the other through complementary population and sampling procedures. The results can then be examined and compared, looking for consistencies and inconsistencies, leading to cross-verification of findings and pointing the way to generalisations that will have some validity and usefulness in informed policy making.

THEORY AND POLICY ANALYSIS: THE CONCEPT OF COMMUNITY

Although the research methods already discussed are quite general, they can be related to the kinds of data available in the criminal justice system, which mainly consists of bureaucratic records, interviews with 'captive' populations, community interviews, and, ethnographic data, in order to establish a greater understanding of the dynamic relationships between people.

The argument that an adequate explanation of social events can arise from the simultaneous use of a variety of methods is somewhat negative and defeatist. If individual research methods are inadequate tools then methods which are adequate are needed, not the simple compounding of inadequate ones. In fact, the idea of taking several approaches is glorified by jargon: triangulation. The word triangulation suggests the kind of precision which would be derived from taking different measurements in some interactive process or locational problem in the physical world where the variables are one form or other of direct physical measurement. The use of such methodology in the social sciences is frequently argument by analogy. It is not the beginning of some breakthrough but merely the borrowing of resources from other fields without the deterministic, operational relationship between the levels of data which would permit the transfer of techniques.

This negative approach to empirical research implies that society is so complex that empirical tools are inappropriate to the task and that if everything is tried, then something might work, either alone or in combination, which is applicable to policy or practical affairs or a valid description of the environment. It is no wonder then that policy makers act before the results of such empirical work come in or that they feel little confidence that the results of empirical work will be crucial to their decision making. The frequent result is that the empirical data used for policy making or implementation is generally in the form of monitoring statistics which are used by all political forces in what ever form is most appropriate to advance their current cause derived from their political sense, prejudices or ideology.

To go beyond this a way of linking the function and practice of empirical research to the structure of society as a whole must be

devised. For this a conception of society is needed which, although not comprehensive, is a working model for appropriate interventions. Broad based theories at the level of Marxism or psychoanalysis which purport to give a comprehensive and deterministic view of the relation between human interaction and social structure, do not, in themselves, provide programs for action in the short-term reformist mould that is the framework of most government decision making. Such approaches are important in the general advance of human thought on the nature of society and, in the more pragmatic world of policy analysis, they provide a background of understanding which protects one against the kind of blinkered thinking which is so often a product of the bureaucratic world view.

The most useful concept to apply is that of 'community'. It has been the subject of much debate in sociological and psychological circles and empiricists have sought to give it an operational definition so that it might be a factor in their theories. It consistently defies that operationalisation. Ideologically, community has been taken up across the spectrum of belief systems. On the one hand, it has been used to justify the expansion of participatory democracy and a kind of simplistic communism as perceived to exist in China, at least before the current movement towards capitalist ideas. It has also been used by the anarchist to describe the maximum level of social organisation which they believe to be appropriate to their conception of society. Conservatives use it to emphasise what is true and valuable in social traditions and to relate individual responsibility to the kind of community organisation which grows from below and is not imposed from above by a centralised authority.

The first of these examples can be illustrated by the urban development and quality of life writers of the sixties (see Ornstein's ladder of participation), the second by anarchists' writings (for example, Woodcock) and the third by the work of the sociologist Nisbett.

It is better to understand the concept of community not as an operational definition of a particular category or type of community organisation, but as an ideal. There has been too little recognition of the place of ideals in human consciousness in the social sciences, too little acceptance that ideals are often what drive people on in community action when more simplistic explanations of reward and punishment do not provide a sufficient motivational base. The ideal of community through the optimistic years of economic growth in the 1960s and early 1970s focused on the involvement of people in developing a better life style. It made the assumption that the quality of life was improving and that economic expansion would fuel these opportunities. It is regrettable that the concept of community is important in the

1980s on the basis of fear: fear of crime, fear that our territory will be invaded, fear of the loss of what little opportunity for human interaction and shared experience that is left in a complex and shaky urban structure.

Nevertheless, the long view must be taken. The communities of past eras sprang up from the same defensive posture. There is room in this concept for idealists of the right and the left, and for a very good practical reason. Just as the complexity of society is such that weak statements must be made about the necessity of conducting empirical research of all kinds in order to get some leverage on what is otherwise impossible to grasp, so the administration of such a society becomes so complex that it needs to be broken down into simpler elements which are manageable.

A useful approach was developed by Fred Emery some years ago in a paper on the management of social change. His analogy is that society is like a stream which flows between defined banks. The faster it goes the more the complex the structure, until it finally bursts its banks. He argued that the rate of social change was getting faster and faster and that society had reacted to a point where the stream was making unpredictable eddies and whirlpools within an overall consistent flow. Society should not become disheartened by the odd unpredictable whirlpool because the overall direction is forward. But as things get faster the unpredictable eddies become more frequent and represent a greater proportion of the overall flow. Eventually the forward directional structure becomes lost as, in the hydraulic analogy, the stream bursts its banks.

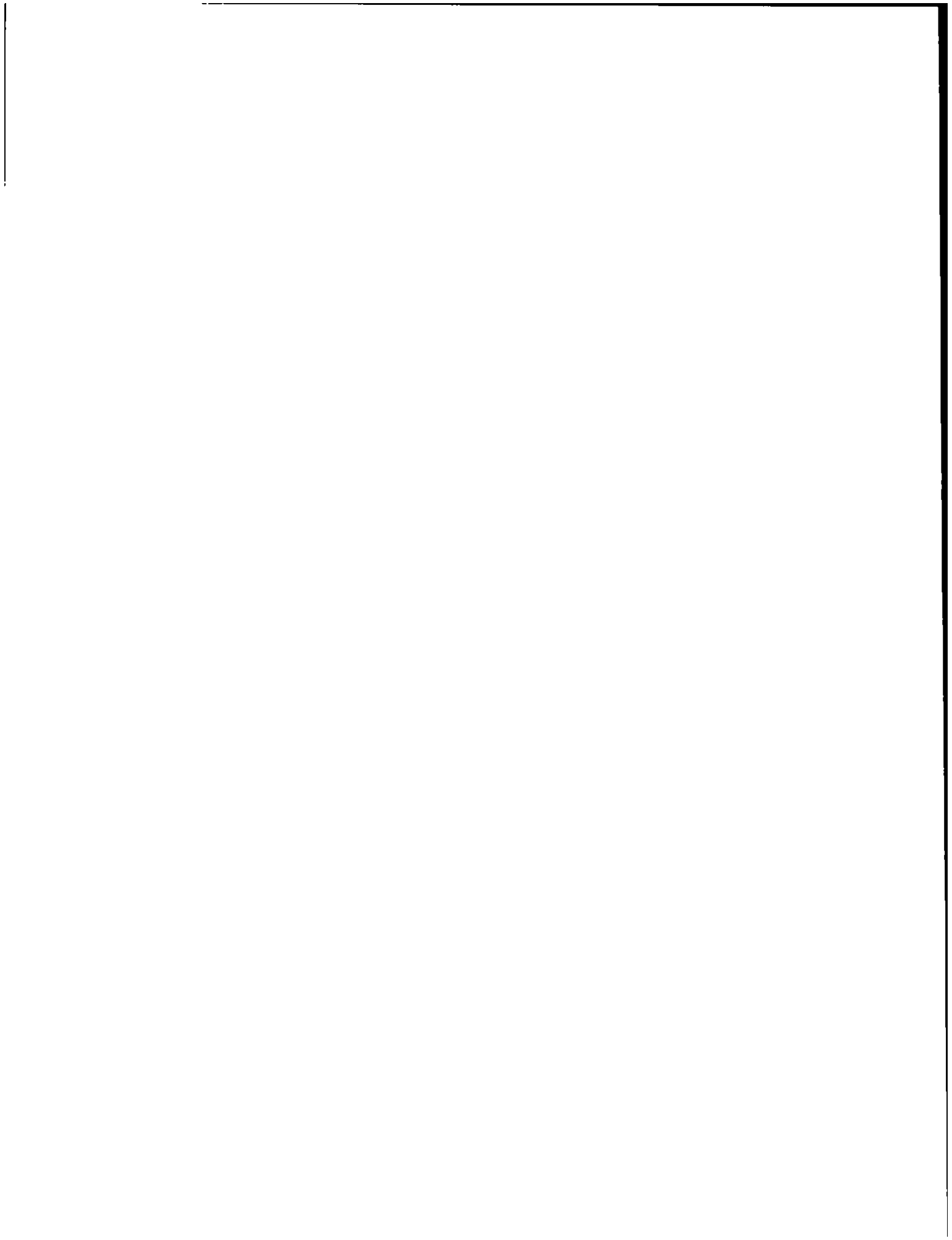
In this society, the stream is getting faster and the whirlpools more frequent. Substitutes for long term planning deals and counter-deals, are found in factionalism and the short term political advantage, fuelled by a consumer oriented media with an eye for the sensational and for today's rating grabbing headline. Community is a defensive position and perhaps community solutions are defensive, even Luddite, in the rejection of the new and technologically sophisticated, but it represents an ideal which strikes a chord with many people at all levels of society. It is a subject which deserves its place in criminology and it deserves sophisticated analysis.

Policing is often said to have commenced from the community itself. The first police are said to be those members of society who took it in turns to deal with the order problems of their community. They were citizens like every one else. Eventually, in a bigger society, policing became organised but still maintained a community care and responsibility orientation. In the growing enthusiasm in police forces for community policing and its more practical derivative, the neighbourhood watch scheme, communities are comprised of individuals who will work together with others and with the professional police to provide a defensive structure to prevent the occurrence of crime in their areas.

Why do we want to stop crime on this local basis? Why not leave it to the professionals? Because people need to regain confidence in their local area, and to feel safe to use public places without fear. Through that feeling of security and shared experience it is hoped that they will take over more responsibility for their lives and the area where they live and in the activities which affect their quality of life. It is important that people feel a sense of control over their lives, that they do not feel the victims of unthinking bureaucracy or of forces of disorder outside their control. That is not to deny that various localities in society reflect vastly different wealth and access to power and that the more wealthy and powerful areas will have the better facilities and resources.

Furthermore, it is true that the existence of a centralised state is an important defense against these inequities. A breakdown of centralised co-ordination carries with it the danger that those with the greater strength will take greater power, whether they be groups of wealthy landowners or unions in key positions. Ordinary people must get a leverage over their situation in a rapidly changing society increasing in turbulence (to borrow again the hydraulic analogy). One well researched measure of social attitude which distinguishes poorer localities from richer is the extent to which the poorer see themselves as lacking control over their own lives. Vinson showed in his study of regions of Newcastle that such areas are also higher in a variety of crime rate (or at least arrest rate) indices. The key psychological contribution to the development of community is a feeling that one can control the environment and that group effort is effective.

The Bureau hopes to commence a study of community crime prevention. As the work of the Anti-Theft Squad and the Community Relations Division develop, it will be possible to evaluate the effectiveness of increased police presence, community awareness, and the efficient co-ordination of resources. A single region or sub-area should be chosen and the actions applied to and developed within the community described and, where possible, quantified. Crime statistics and other indicators would be recorded for the period to trace the effectiveness of the new programs. The study could also be related to an examination of victim needs and the way they are and could be met.



BURGLARY 1985: THE INSURANCE INDUSTRY VIEWPOINT

John P. Hall
Regional Manager
Insurance Council of Australia

Two recent domestic burglary claims in Brisbane, illustrate the problem faced by insurers in making burglary and theft cover available in a broad form, with minimal conditions attaching, and for a premium which is not even separately identified from the premium for fire, storm and tempest, public liability, and so on.

In the first example, a major domestic insurer received a claim for household contents, the amount claimed being \$150,000. Not surprisingly, the claims supervisor asked to see the file to see who this person was. There was nothing at all on the file to indicate that the company was insuring an unusually wealthy household. Indeed, the buildings were only insured for around \$90,000. Then to his horror, the claims supervisor spotted a small statement on the original proposal form, which simply said, 'collection of guns, value around \$80,000'. This annotation to the proposal form had apparently not aroused the interest of anyone within the company when the proposal was received. It transpired that this was the home of an Olympic marksman, who indeed had an extensive collection of very valuable guns which were simply kept in a shed under the house. He was issued with a standard household contents insurance policy. When the time came to make a claim for the theft of those guns plus various other contents items, the company had no option but to pay the claim. They had been told in the proposal form that these guns were stored at the house. They had not asked for any special security measures to be taken, nor had the items been specifically insured and an appropriate premium calculated. In other words, the company did not even give itself the opportunity to collect a reasonable premium, and through the generous issue of the usual broad form of policy, they were faced with an enormous payout.

The second example serves to illustrate the bravado of today's criminal. A large premises in a comfortable suburb of Brisbane, was broken into and valuables worth \$30,000 were stolen. That of itself is sadly not unusual. In this case, however, the residents were at home, it was early evening, and doors were shut and secured with dead-locks. The occupants of the house were sitting in a downstairs area watching television; thieves apparently made their way up a drain-pipe to the upper storey, smashed a window to gain entry, and escaped with their booty without arousing anyone's attention.

Again in this case, the company had no alternative but to pay the claim. The house was reasonably secured by dead-locks, and any other reasonable steps were taken.

Those two claims also serve to illustrate a point which is of concern to insurers generally, and, in particular, to this paper. That is, that as far as burglary is concerned, domestic or otherwise, the enemy has two forms: the enemy is within, in that insurers, through their own generosity and competitive instinct, are granting insurance cover on a 'site unseen' basis; and the enemy is also without, in that the trend seems to be for increasing bravado and determination on the part of the intending burglar, at a time when virtually every household has a highly desirable, portable, and readily resaleable electrical gadget, or piece of jewellery within its walls, and at a time when police resources are apparently not able to be directed to this most basic function, the prevention and detection of burglary and theft.

A few more statistics might help to set the scene. In Queensland, the figure known as the 'population per sworn-in officer' is actually decreasing fairly steadily. In 1978-79, 568 people clamoured for the attention of every police officer. In 1983-84, the melee involved only 535 people. Unfortunately, though, break and enter and burglary figures in Queensland doubled in a very short time in the late 1970s and early 1980s, and have held firm at that increased level for the last couple of years. Interestingly, the number of drug offences involving the Children's Courts experienced almost exactly the same doubling effect in the late 1970s and early 1980s, and if anything, there is still a steady increase going on. A quote from the Queensland Police Commissioner's 1984 Annual Report helps to illustrate their feelings on the subject. The Regional Superintendent of the south-eastern region which includes the Gold Coast, wrote as follows:

The rise in crime to a large degree can be attributed to young unemployed people who are attracted to the Gold Coast and who are associated with drug abuse. Many of them turn to crime for the money they need to purchase drugs to satisfy their addiction.

In the same Annual Report, the Brisbane Break and Enter Squad noted that:

There has been a marked increase in the number of breaking and entering offences committed during this year, with the most favoured items being cash, jewellery, video recorders, and other electrical equipment ... despite a public awareness programme organised during the year, the average householder

did not become any more security conscious and this made it easier for the criminal to gain entry. This complacency has added to the number of offences being committed and has also forced insurance companies to impose higher premiums for policy holders.

Now one or two figures from the insurance companies. From a representative sample of major domestic insurers in Queensland, domestic burglary and theft in 1984-85 represents around 10 per cent of the total number of domestic insurance claims, which places that form of loss only fifth in ranking behind storm, fusion, glass, and accidental breakage claims. Significantly though, those same burglary and theft claims account for more than 30 per cent of the total cost of domestic insurance claims; only claims for fire losses account for a similar proportion, at around 25 per cent.

In the three years from 1981-82 to 1984-85 domestic burglary and theft insurance claims in Queensland multiplied three-fold, from an estimated \$4 million in 1981-82, to in excess of \$14 million in 1984-85. Not only has the number of incidents risen sharply, but insurance figures confirmed that the average value of what is being stolen has also risen sharply in the last three to five years, from an average \$300 in 1980-81, to an average of around \$800 today. Interestingly, the situation is even worse in Victoria where the average domestic theft claim stands at around \$1,400 to \$1,500.

It is well known that for years now the insurance industry and the police have engaged in widespread publicity and education programs to try to kurb the spiralling rate of burglary. Severely restricted police resources, and the sheer frequency of the crime, means that any improvement in the situation will rely heavily on property owners accepting responsibility for the security of their own property and valuables, but that responsibility will not be fulfilled merely by installing a piece of security equipment. Insurers believe that the responsibility will extend to an involvement by the whole community. Experience to date shows that the determination of today's burglar, juvenile or adult, frustrates the average householder and engenders apathy in people who believe no manner of security will keep their homes safe. This feeling of futility, whilst understandable, does not absolve home owners or any other property owners from their responsibility to make the burglar's task more difficult. It cannot be left to insurers to pay for losses without the degree of responsibility being taken by the policy holder.

Moving away from the statistics, not enough is known about domestic burglary and theft, in terms of the genuine number of occurrences (both reported and unreported), and also the actual

direct cost, the indirect cost in terms of replacement costs, insurance costs and so on, and, of course, the emotional and traumatic cost to the victim. If more was known a number of things might happen in the areas of public feeling against the offender; public willingness to do something about it; the courts' attitude, reflected in sentences; and, of course, the allocation of police resources. These aspects will be discussed shortly.

First though, a look at a few pertinent aspects from the insurance industry viewpoint.

Up until 1975, domestic and other property insurance, including cover for burglary and theft, was regulated by one of several tariffs, which set out the scope of cover, the premium rating structure, any discounts for improvement of risk, and so on. Competition was therefore on the basis not of price or scope of cover, but merely on the basis of service. The premium which the insurer received was carefully regulated and was arrived at by building up the various elements as dictated by the particular tariff. Built in to the premiums, of course, was the ability to offer discounts for such things as fire extinguishing appliances, security systems, and so on. Of course in those days, very few homes contemplated the installation of a security system. But ironically, just as domestic security systems did become available at a reasonable price, the way in which insurance business was conducted changed radically, and a potential incentive to householders in the form of an insurance discount, ceased to exist; the tariff was disbanded at the behest of the Trade Practices Commission. Intense competition among insurers ensured that premium levels were sliced to bare bones; so-called profit margins shrank rapidly and, indeed, literally disappeared. The result was that there was no 'fat' in the premium being charged, to enable insurers to employ inspectors to examine risks before offering cover, and certainly not to enable a discount to be offered off the basic premium, for improvement of risk. Property risks seeking burglary and theft cover were taken 'on spec', with very few questions asked. Underwriting, as it used to exist, simply flew out of the window, to be replaced by simple cash flow economics; any business that was on the books, whatever the quality, provided some kind of premium which, all being well, would be enough to pay the claims incurred. At the same time the homeowners' and householders' policy actually became significantly broader, more general, and less specific in its terms. Premium ceased to be identified with the various elements of cover; instead, an overall 'package' of cover was provided for an overall premium figure, and that premium figure steadily reduced in real terms, over several years from 1975 almost to date. Only very recently has that slide shown signs of slowing down, and premiums holding steady.

Thus, between 1975 and 1985, the gap between the premium received by insurers, and the cost of paying burglary and theft claims, widened dramatically, with the premium undergoing the wholesale paring described above, while the incidence and average cost of burglary and theft claims were undergoing a rapid increase.

The 'loss ratio' - claims paid out as against premium received - for burglary and theft insurance was commonly around 30 per cent in 1975-76 (that is, 30¢ paid out in claims for every \$1 premium received); by 1984-85 the loss ratio was, in some parts of Queensland, up to 250 per cent, or \$2.50 going out in claims for every \$1 coming in! Insurers in the Gold Coast and Southport will recognise that figure.

Before the mid 1970s, house owners' and house holders' policies covering fire, storm and tempest, burglary and theft, were traditionally the 'bread and butter' source of income for insurers. They propped up the 'loss leaders', commercial policies, liability insurances, some motor vehicle covers, and so on. Domestic insurance had retained this 'bread and butter' status for 200 years, yet within 10 years from 1975 to 1985, a reversal occurred as competition sliced premiums to bare bones while the number and cost of burglary and theft claims increased. The result to date is a massive underwriting of losses in the former 'bread and butter' account; a desperate battle, brought about by intense competition, to keep premiums down at exactly the time when companies were facing those underwriting losses; an initial diversion of funds from other areas, including fire insurance, investment income, etc. to pay the burglary and theft claims; and also a heavy reduction in costs particularly through staff reductions. Eventually, though, a 'water shed', at which point companies' ability to absorb heavy costs in a particular area of insurance, comes to an end. With the sort of loss ratio instanced above, that water shed has well and truly been reached by many leading domestic insurers in Australia.

What then brings about that sort of loss ratio? Of course on the one hand, there is the dramatic increase in the crime. But, on the other hand, there must be factors for which the insurance companies themselves are responsible. It is possible to summarise the sort of insurance business activity which has typically produced loss ratios of this sort. Firstly, there is likely to be no inspection of domestic premises, nor any serious inquiry into any potential 'moral hazard', prior to the assumption of the risk. In this regard proposal forms have the potential to play a vital role. Presently though, and again largely because of the cash flow underwriting brought about by stiff competition, proposal forms hardly scratch the surface. There is also, of course, a very real potential for intermediaries (insurance agents and insurance brokers) to overlook certain important features of a risk, or perhaps personal characteristics or

historical facts concerning the applicant for insurance. Without slighting these intermediaries as professionals, it is a fact that in some cases, some among their number are more concerned about signing up a client, than looking for obvious warning signs to which the insurer should be alerted. The practice whereby an intermediary literally fills in a proposal form and asks the client to sign it, plays a part here. All too often, the consumer is prepared to believe that the intermediary is serving the client's best interests by, for example, omitting from a proposal form reference to previous claims.

Another point is that there have not in the recent past been any firm company guidelines issued to field staff, regarding the type of domestic or other business to be accepted, and on what terms and conditions or premium rates. Again, competition has dictated that volume of business has been, for too many insurers, more important than its quality. Likewise, since the abandonment of the insurance tariffs, there has been no industry regulation or structuring of rates, policy wordings, interpretation of conditions, and so on. The point about this is that for 10 years now, companies have been completely divergent in their business activities; they have not even been in a position to get together and compare their experiences in a class of business such as burglary insurance, for to do so requires some degree of standardisation of accounting methods, statistical records, and so on. Instead, each company has gone very much its own way in producing a product which has many different features depending on the company's particular preference and the product it wishes to make available. This, per se, is a healthy thing, but makes it almost impossible for around 100 insurance companies to get an accurate feel for what is happening industry-wide in the field of burglary insurance.

At the same time, one should note the public attitude towards insurance. A recent Insurance Council of Australia survey showed clearly that the public generally feels that it gets nothing of real substance or value for money when purchasing insurance; unlike the purchase of consumer goods, one is purchasing an intangible asset, which cannot be stood on a shelf, or watched in the evening, or taken on holiday. At the same time, insurance companies were seen as being not concerned with providing service to clients, but rather, only interested in making a profit. Because of the unhealthy approach to writing business - on a volume basis instead of proper selective underwriting - companies inevitably took on unsavoury domestic insurances, and then at claim time found that there were often ready grounds for denial. This undoubtedly created a feeling of distrust in the public's mind, with the common catch-cry being the insurer was 'all too happy to take the money, but when we come to make a claim ...!'

Little wonder perhaps that in recent years the public seems to have taken to exacting retribution upon insurers, in one simple way: the exaggerated, and sometimes out and out fraudulent claim.

Domestic insurances have always been plagued by an element of opportunism; claims being loaded, repair work being tacked on to a damage claim, and so on. This is nothing new. In recent years though, in the field of domestic burglary, the seriousness of the actual burglary and theft situation has been made considerably worse by the fact that currently an estimated 30 per cent of burglary and theft claims have a significant element of fraud in them. Indeed, insurers estimate that for every \$100 premium collected, up to \$30 is only there to pay for fraudulent actions by policy holders, that is, the items being claimed for, were perhaps far older than is stated; were of a lesser brand or quality than is claimed; were of considerably less value than is claimed; or, ultimately, were never owned in the first place. Add to that the old favourite - jewellery claims, where the jewellery is not lost at all - and it is obvious that the actual problem of burgeoning domestic burglary and theft is made far worse, and of course, at the expense of every single honest insurance policy holder, by the determination of some policy holders to take their insurers for a ride.

If it were not for the valiant and nowadays increasingly skilled efforts of adjusters, the insurers would be in danger of being put out of business by fraud alone. But there are still too many cases where either an adjuster is not appointed, or where although the adjuster might have strong suspicions, there is not sufficient proof to enable the insurer to deny liability. Of course, it is not sufficient to employ more adjusters so that every single domestic burglary and theft claim can receive the attention of an adjuster. Adjusters cost money, and there is only one person that ultimately pays that: the policy holder.

Instead, there are certain other critical considerations which insurers should address. Some are 'internal' matters relating to the need for insurers to put their own house in order; others are 'external' facets, angles which impinge upon the business of insurance but which will fall to others to try to correct.

Firstly, insurers must, in effect, go back to basics, and consider the scope of cover provided under the standard domestic insurance policy, as well as the various commercial policies. Currently, the domestic policy, structured as it is as a broad ranging package of cover for a number of perils, has become an extremely general, broad ranging burglary and theft cover. There is no requirement that there be forcible and violent entry; there is no requirement that when the property is left unoccupied for a certain length of time particular security measures be taken; and so on. It would be a very simple matter really to restructure the policy so that the theft, burglary, etc. portions are separately

identified, have particular conditions attaching to them, and so on. Likewise, the premium structure ought readily to be changed in order to identify and, if necessary, load for, burglary and theft cover. The imposition of a fairly weighty excess, even just on the burglary and theft claims, would create a very real financial interest in security, without penalising those policy holders who do not have to make a claim. The introduction of a \$50 or \$100 excess by many companies during the late 1970s had a dramatic impact on the number of claims, at a time when the average cost of a claim was increasing annually by 20 per cent. In 1973 the number of burglary insurance claims as a proportion of the total number of burglary incidents, was 50 per cent. In 1978 after the introduction of \$50 or \$100 excesses, claims were only about 22 per cent of the total number of incidents. Given the present highly competitive climate in the industry, the use of excesses would appear to be far more palatable than the loading of premiums in high-risk areas.

Probably the most important area which should receive insurer's attention, is the notion of a return to genuine underwriting, beginning with some form of inspection before signing up, at renewal, and after a claim. Interestingly, at least one major domestic insurer in Queensland is taking precisely that measure, by employing a full time inspector whose sole function will be to inspect and consider physical and, to some extent, moral hazards presented by prospective policy holders.

The other aspect of underwriting involves the proper questioning of applicants, chiefly via the proposal form, as to previous claims history, and also an accurate listing, description, and valuation of assets to be insured; proof of ownership is something which should also be established, and in this regard it should be mentioned that the increasingly common *de facto* partnership has begun to create distinct problems for insurers, in that it is not uncommon for aggrieved parties, following a dissolution of the *de facto* relationship, to depart stormily from the scene, taking with them items which are perhaps strictly not theirs to take. The result is an insurance claim by the offended party, which creates numerous problems for loss adjusters to sort out. In many cases, an adjuster might have very strong feelings that an aggrieved *de facto* partner has been responsible for the disappearance of certain items, but there is insufficient proof and the insurer has had to pay on the basis that it might have been a burglary.

Another aspect which falls under the general heading of 'in house' tidying, is that there is now a centralised system whereby very basic data about insurance claims can be placed on a computer. This computerised 'filing cabinet' of claims information was set up in 1982 by the Insurance Council of Australia with the full co-operation of police advisers, for the

express purpose of enabling insurers and their adjusters to simply cross-refer claims on the basis of claimant, location, or other reference points. The 'Insurance Register of Losses' as the system is called, enables insurers to identify any aspect of a claim which they feel warrants further investigation, for example, a person making similar claims in a number of different states over a period of time. The point is, of course, that all honest policy holders will thank insurers for weeding out the fraudulent claims. Consumers' rights are seemingly paramount these days, but there is an important corollary: the insurer has a right and a responsibility to fully examine the voracity of any domestic or other insurance claim.

Consumer legislation is another important aspect in insurance. The Insurance Contracts Act will see to it that the consumer is fully armed before entering into a contract of insurance. They will have to be informed about the cover they are proposing to take out, its scope, and restrictions, the terms and conditions, and so on. Sadly, that Act also provides that if a consumer acts fraudulently in their dealings with the insurer, and the insurer is only minimally disadvantaged by that fraudulent action (misrepresentation, non-disclosure, etc.), then the consumer will not be penalised by denial of a claim or avoidance of cover. In other words, ludicrous though it may be, it now seems that 'a little bit of fraud is alright'. Not only are insurers faced with a battle with escalating claims, incidence, and cost, but a new battle-front has been created; the consumer who feels that their insurer is a 'soft touch', either through exaggeration or straight fabrication of a claim, will find their cause assisted through the generosity of the federal Insurance Contracts Act.

This and the other factors outlined above make it essential that all insurers examine their position, their attitude towards domestic insurance business, the structure and content of their policies, and the terms and conditions on which they will underwrite, and for what remuneration.

As mentioned before, some companies have already started. Until now Australian insurance companies, to ensure continued protection for the public, have increased premiums simply to have the money to pay burglary claims, but an early measure in New South Wales and Victoria during the late 1970s was to identify high-risk areas by postcode or some other indicator, according to the number of claims in that region. This has enabled premiums to be loaded to cover the claim payments emanating from those areas, and in some cases this has meant a loading of up to 70 per cent.

A further development was to insure properties in high-risk areas only if certain basic security measures were taken, principally dead-locks on all external doors, and window locks. In 1983 a survey of the Victoria Police showed that between 50 per cent

and 70 per cent of domestic burglaries involved entry through an unlocked door or window, and around 80 per cent occurred in daylight, reflecting the number of homes unattended by day. An insurance policy does not, of course, release the property owner from the responsibility to take at least commonsense precautions to protect their property; yet all the figures show a consistently casual attitude towards burglary and a failure to take basic precautions. Paradoxically, it is probably fair to say that the startling increase in the number of domestic burglaries now bedevilling society is in one fairly major way being promoted by the insurance industry. Insurers have insulated a large section of the public from their own folly, by compensating fully those policy holders who neglect to take basic security precautions; indeed, by courtesy of the all too easily available replacement conditions of cover, many insureds are actually rewarded for their misfortune.

The situation has been aggravated by the lack of resolve shown by numerous domestic insurers, manifest in the broad scope of cover, the non-inhibiting policy conditions, and in particular the dearth of questions at the early underwriting stage, mentioned earlier. By comparison, insurers of commercial burglary risks demonstrate far more realistic caution. The 'operative clause' in commercial burglary policies (the opening clause of the policy which summarises the agreement entered into by both parties) is strongly reinforced, in that there is no cover unless 'forcible and violent entry' leads to the loss of the property in question. This is at least some guarantee that windows will be locked and doors bolted.

Domestic insurers must surely move toward adopting a similar approach, perhaps initially in relation to premises left unattended. Incidentally, insurers in the United Kingdom identified the day time burglary problem several years ago. They thus asked specific questions on proposal forms about homes being left unattended during the day, and imposed excesses or premium loadings accordingly. A similar move would be to have domestic burglary cover offered separately as an optional extra and on payment of an additional premium. This would ensure that prudent and security conscious policy holders were not subsidising their imprudent fellows.

An innovative, mature, and resolute insurance industry could quickly make an impact on community attitudes and reduce the current high level of home burglaries dramatically, and could become the police forces' most powerful ally. Perhaps that would be justified, given the fact that insurance, itself, often encourages the very losses it is designed to cover! By acting as a disincentive to care and responsibility, insurance does have the potential to foster crime, and, of course, fraudulent burglary, the pre-arranged theft, the gross over-statement of loss, and so on.

As mentioned earlier, as well as these 'internal', 'house-in-order' measures which insurers must look to, there are certain broader elements with which insurers might get involved, or which if adopted, could greatly ease the plight of the police, of insurers, and of the community as a whole.

Firstly, much can be done to improve the present level of liaison and co-operation between insurers and police departments. On an individual basis, insurer or adjuster to police officer, a great deal is already achieved, but on a broader and perhaps more formal basis, there remains, between insurers and police departments, too much suspicion, and too little feeling of mutual benefit to be enjoyed from close co-operation one with another. As a small example, take the statistics on domestic burglary. There are virtually none. In the Queensland police report, figures show only the bald facts: the number of offences brought to the attention of the police, the locations, and the number of crimes cleared. Insurance industry figures could add considerable meat to those bones: the previous experience at each property, the values that are involved, and so on. By fairly simple collation, a comprehensive statistical record showing geographical areas, repeat incidents, monetary values, and so on, could be produced, with very real benefits to insurers and police. Instead, when the police department in Queensland was approached in November 1984 on the subject, the insurance industry was told that due to limited staff resources it was not possible for them to liaise with police statisticians, swap notes and produce a 'risk by geographical area' burglary map for Queensland. If the problem is police numbers, then there should be more police!

Another example relates to police reports, where there are problems not peculiar to Queensland. Indeed, there is a great variation from state to state regarding what information is available to insurers from police, how soon, through what channels, and at what cost. In New South Wales, for example, inquiries from insurers or adjusters are now directed to a central section; an actual copy of the police report is available for \$20. Thus, police at stations are freed from clerical duties otherwise imposed. Unfortunately, some rather important information is not made available to insurers in New South Wales: any suspected offenders, the total estimated value of the loss, and whether the police feel the crime is 'fair dinkum', or is dubious in some way.

In Victoria, a comprehensive crime report sheet is available free of charge, and additional information can be purchased for \$32.80. In Western Australia, no information is available in writing. As far as Queensland is concerned, police reports are available at a cost of \$15, but there is much room for improvement in the flow of information. It is not unusual for

several weeks to pass before a police report is issued, and adjusters and insurers confirm that it even happens that no word is ever received, the impression being that for some police officers the 'too hard basket' is a bottomless pit, and that inquiries from adjusters or insurance company staff are nothing more than a nuisance. As long as that state of affairs remains, there is no hope of winning the battle. Also in Queensland, there is no indication from police to adjusters as to whether the police have doubts or concerns about a reported loss. It would be easy, and beneficial, if an innocuous signal were given on police report forms, just to alert insurers that they should contact the appropriate police officer to discuss a particular loss. In the New South Wales police report there is a box saying 'is this crime accepted/rejected/doubtful', but that information is not given to insurers. Perhaps in Queensland a less direct signal could be given to insurers, so that at least companies do not pay claims without the benefit of police advice, or warning about suspicious circumstances, or even just some inconsistency in a particular case. Then, of course, there are variations from state to state. Crime does not recognise boundaries and it behoves both police and insurers to get their respective acts together so that what is done is consistent from state to state, and is a full and constructive contribution to one another's cause.

It needs to be stressed that in Queensland the future looks very bright. Police representatives recently had occasion to seek funding from insurers to facilitate the 'buying back' of stolen goods from 'fences', with the aim of identifying those ultimately behind the thefts. Insurers felt this was not the most appropriate way, philosophically and morally, to combat the problem, but rather, the crime itself should be prevented from happening in the first place. However, it is proposed that police and insurance representatives get together in Queensland to discuss what other joint initiatives they might adopt, what problems each side faces which the other might be able to assist with, and so on. This could only be mutually beneficial and reflects similar moves in other states. The question of police reports, for example, should readily be addressed, and the situation in Queensland improved quickly.

A view often expressed by the insurance industry, is that whilst the Criminal Codes of the various states might provide for severe penalties for the crimes of burglary and theft, it has become the pattern for courts to attach considerably less seriousness to the crime. The Insurance Council of Australia recently asked Attorneys-General in each state what penalty attached to the crime of burglary, and whether they believed the penalties were adequate. In all states, the response was that the penalties (typically a maximum of 14 years' gaol) were adequate, while in only two states (New South Wales and South Australia) was it conceded that the courts were perhaps being too lenient in

imposing penalties. To their credit, the authorities in New South Wales have asked the New South Wales Law Reform Commission to study the effectiveness of that state's laws and penalties applying to crimes of theft and re-sale of property.

It is imperative that the courts be made to recognise the enormous social cost (financial, emotional, etc.) of burglary, and play a greater role in the deterrence of the crime.

Finally, one other concept has the potential to be the most potent force in the thrust against burglary, particularly in the domestic arena. This, of course, is the neighbourhood watch scheme spawned in the United States, further refined in Canada and the United Kingdom, and now becoming established in Australia. Other speakers have gone into great detail about the neighbourhood watch concept and how it works. From the insurers' viewpoint though, a few observations deserve to be made.

Firstly, it is obvious that traditional methods of crime prevention and detection now have limited effectiveness. As an alternative method of policing, the neighbourhood watch concept has proved a resounding success wherever it has been introduced, and with complete community acceptance. There has been retarded growth of crime within the watch area, but not in surrounding areas. Representing as it does a total community effort involving genuine team work among residents, and between residents and the police, the neighbourhood watch scheme has the essential feature of cost effectiveness in its favour. It has long been proven by insurers and manufacturers of security equipment, that the public is generally extremely reluctant to spend what might be \$200 or \$300 on security equipment for the home, even for an insurance discount, when the incidence of burglary, the audacity, and often the absolute determination of burglars to commit their crime, are increasing sharply year by year. The bottom line has always been 'if they want to get in, they will, and no amount of security devices will stop them'. Insurers firmly believe that that philosophy is wrong, and insurers will continue to implore the public to take basic, commonsense security precautions, on the basis that if nothing else the burglar might be prompted to move on to an easier target.

However, insurers also believe, like the police, that in neighbourhood watch there is the first real chance to change the whole scenario regarding burglary of domestic and commercial premises. Through the basic steps - identification of property, awareness of local criminal activity, awareness of basic property security, and the display of 'neighbourhood watch' signs - it seems that these schemes can achieve all that police, insurers, progress associations, and others have been trying in vain to achieve for years. What has been missing until now is the right sort of officially sanctioned co-operation between the public and

the police. It is vital to ensure that any neighbourhood watch scheme is able to be given the full support, both moral and practical, of the police in that area. If that means more police are needed, so be it! The success and the acceptance of this community-based crime prevention scheme, or derivatives of it, will grow providing that from the beginning these schemes are properly set up, by the right people, and that they continue to be very closely watched by the authorities to ensure that they are in no way tainted by, for example, dishonest people, entrepreneurs out for a fast buck, and so on.

Police can develop a powerful ally in alert and conscientious members of the public; public confidence in the police per se can receive the sort of lift which it so badly needs; and, of course, any reduction in crime incidence means less insurance claims, and the benefit of that is manifest in stable premiums and ultimately even falling premiums. Competition among insurers will see to that.

Two simple statements can sum up the position of the insurance industry. Today, the cover is there, because companies want to provide it even if in some cases it is propped up by more profitable lines of business. Tomorrow, insurers will have to decide whether to withdraw the service and leave the public to fend for themselves, or whether to impose stricter and more realistic underwriting conditions on the provision of the cover. Very simply, the public will make the decision for the insurers. By adopting a realistic, security conscious attitude burglary insurance cover, commercial and domestic, can continue to be made available on reasonable terms and conditions and at an acceptable price. By going one step further, possibly through the neighbourhood watch concept, domestic burglary insurers could be put out of business for want of customers. That, to the insurance industry, would be sweet revenge!

SUMMARY OF DISCUSSIONS

The Honourable Mr Neville Harper, Attorney-General and Minister of Justice for the state of Queensland, in his opening speech to the seminar said, 'Burglary imposes an enormous social and financial cost on the community'. During the entire period of the seminar this concern was expressed repeatedly by speaker after speaker. That the incidence of burglary and break, enter and steal has reached menacing proportions and that something must be done expeditiously to reduce and contain this evil, were the two themes on which there were no two opinions. Beyond these, the seminar was presented with a plethora of statistics, collected officially as part of the routine activities of the police departments around the country and those collected and analysed by researchers. In this summary the major issues that were discussed during the seminar are highlighted. The discussions were open but it was not difficult to identify issues on which there was universal agreement and those which were debated and which received sympathetic understanding. At no stage was it the objective to deliberately seek consensus on any issue for the purpose of drawing conclusions or drafting resolutions.

BURGLARY AND THE BURGLARS

A number of papers were presented on the issue of the nature and extent of burglary. Statistical and descriptive information from most of the Australian jurisdictions and overseas made it clear that the level of this crime has reached disturbing proportions. Issues that received particular attention during discussions were as follows:

THE INCIDENT OF BURGLARY

Residential burglary has been the most frequent among burglaries of all types of premises for the past several decades. However, a large portion of the increases in overall burglaries in recent years appears to have attracted private dwellings. Residential burglaries, as a proportion of all burglaries, have increased from 40 per cent in 1964-65 to 60 per cent in 1983-84. This proportion varies from jurisdiction to jurisdiction. The implications of this increase in residential burglary is that a large segment of the Australian population is directly affected by this crime. Although predominantly an offence against property, burglary creates a significant amount of fear among the members of the community. It is, therefore, necessary that something must be done.

The rate at which the incidents of burglary occur vary from area to area. Areas with the lowest burglary rates tend to be rural and those situated at the outskirts of metropolitan areas. High burglary rates are also associated with highly urbanised centres and popular resort areas. In general, residential burglaries are high in urban as compared to rural areas.

A burglary, especially a residential burglary is most likely to occur during the day, when the houses are empty. In almost nine out of 10 burglaries, illegal entries are made through doors or windows and often these are closed but unlocked. A majority of private dwellings use the most ordinary locking devices.

In relation to the types of property stolen, cash still remains the most frequent target. Among other valuable items, jewellery, colour television sets, and video cassette recorders are often popular targets of burglary. It was also noted that in recent months, the increase in the number of VCRs stolen has slowed down and this lull is quite similar to that observed with regard to colour television sets just before VCRs became popular items. Changes in types of goods stolen will take place but the goods will remain those that are easily saleable and transportable. Home computers and the new type of telephones could become popular targets. A large majority of burglaries involved value of property stolen of less than \$500 and in about one in four offences either nothing was stolen or the value was under \$10.

THE BURGLAR

A large majority of arrests for this offence involve juveniles and young adults, and males outnumber females by almost 10:1. Persons as young as 13 and 14 years old constitute a significant share of all arrests for burglary, disproportionate to their proportion in the total population. Children under the age of 18 years, in certain jurisdictions, constitute two-thirds of all arrests for this offence. Involvement of children were found to be high in incidents in which no force was used to make entry.

The age of the offender was discussed in relation to demographic structure. The point has been made by various scholars that as the proportion of children and young adults (especially males) in the population decline, there will be a decrease in burglary. Such predictions have been made by researchers in connection with various types of offences. But a countervailing force, not conceptualised until recently in any modelling exercise, to this is that an increasing number of residences are going to be empty during the day as the size of the average household gets smaller with more people living alone, more marriage break-ups, and the general decline in the extended family. Besides the above, the current trend of both parents working while children are in school or in day care, especially in urban centres, has resulted in houses being empty in the day time.

Children under the age of 18 appear to work in groups. Of all the burglaries for which only children are arrested, more than half involved two or more offenders. This group involvement also increases the probability of arrest.

It was also observed that arrests of children increased the clearance rate of burglary: in areas where the majority of arrests involved children, the clearance rate was higher than in areas where majority of arrests involved adults.

Results of research from some of the jurisdictions presented at the seminar showed a significant portion of those arrested for burglary were unemployed. This evidence was not conclusive especially because the recording procedures in certain jurisdictions made detailed analysis impossible.

The seminar was told that in no jurisdiction could the relationship between drug addiction and burglary be established with any certainty. Statistics from various jurisdictions did not support the existence of any relationships. Since the value of property stolen in a majority of offences did not exceed even \$500, commission of such offences could not support hard drug habits. There was, however, evidence of a small number of offenders who were arrested several times during the year, and it is in such cases where a relationship with drugs could be possible.

THE BURGLARY VICTIM

The seminar discussed the burglary victim at some length and recognised that in Australia little attention has been given to the plights of the victims. Sharp increases in residential burglaries in recent years have also meant sharp increases in the number of victims. Also, the ever declining clearance rate has meant fewer and fewer victims recover their lost property and that the vast majority of offenders are on the loose to strike again. In this respect, the harm done to the victim, the fear or trauma of being a victim, must be understood by society. The first agency contacted by victims is the police, and the way they respond to that crisis, the remarks they make and the efforts they make to link victims to community agencies are crucial to the ability of the victim to recover from the experience. The discussion recognised that the police are not apathetic to victims, but given the time and resource constraints, it does not seem possible to improve the current level of assistance to victims.

The point was made that patrol officers be informed, through training and operational guidelines, how they could respond to victims of burglary. In this respect, one state police force,

has developed some mechanisms. During training at the South Australian Police Academy, the officers are told to assure the victims in the following terms as soon as the incident is reported:

Sorry it happened to you.
 You are safe now.
 You have done nothing wrong.

Such assurances appear especially relevant to the aged.

One of the major problems that the victims face is obtaining any information with regard to the progress made by the police departments in apprehending offenders and/or recovering goods. Associated with this is the preparation of the court case. Far too often, when the concerned victim telephones the police department for help, he or she may not receive an answer or the officer concerned was away at lunch or investigating other cases or on night shift. In this context, the seminar was informed of the Victim Services Unit in the Edmonton Police Department. The Unit:

- refers victims to community resources that might provide additional assistance;
- provides information on status of investigation;
- provides information regarding the criminal justice system and police procedures;
- submit supplement reports on additional information reported;
- acts as liaison between the victim and the investigating officer;
- acts as victim advocates (trained volunteers provide counselling and moral support to victims in crisis situations); and
- assists in the return of property.

The work is facilitated further by providing the victim with his or her case file number, so that given that number, a duty officer can extract the file and inform the victim about the status of the case. It was suggested to the seminar that the establishment of such a unit of the police department or some other appropriate community agency will be significant support to victims. At present it would seem that burglary victims represent the largest group of victims of any serious crime, yet official or community concern seem negligible.

PREVENTION OF BURGLARY

Each jurisdiction in Australia, except Tasmania, has developed mechanisms like Neighbourhood Watch and these were discussed in detail. In this connection, activities of related mechanisms such as special branches within police departments, community policing, sector policing, etc., were also discussed. A number of issues emerged during these discussions.

The neighbourhood watch programs in Australia propose several preventative steps - locks, recording of serial numbers of equipment, making the residence look lived in - are some of these. Research and statistics in Australia tend to show that a large number of private dwellings, when broken into, are either unlocked or the lock is of an inferior quality. The police forces in Australia tend to be convinced that the premises should not only be locked but that installation of dead-locks may make entry a little bit harder. It was also pointed out that equally important, if not more, is the fact that houses should look lived-in so that the burglar feels that there is somebody present. In this connection, knowing one's neighbours could be of significant value. Neighbourhood watch programs can focus on getting neighbours to look after people's houses. Therefore, for locks to be effective they must be combined with both, houses look lived-in and neighbourly co-operation.

The question of recording the serial numbers of equipment and appliances and their registration drew interesting comments. Numerous problems and weaknesses were presented. It was recognised that unless the serial numbers were unique and unless the insurance companies demanded registration as a requirement for registration, the success of such efforts were doubtful. In any event no one step by itself could achieve desired results.

The description of the operation of the New South Wales Anti-Theft Squad and the establishment of the Anti-Theft Task Force generated lively discussion. Also, the description of the Victorian Neighbourhood Watch, the first in Australia, and the use of marketing principles in community watch by the Queensland police received enthusiastic support.

Sentencing for burglary offences and offenders, researching burglary and property offences, and impact of burglary on the insurance industry, were also discussed.

POSTSCRIPT

There were certain issues which were either not discussed or discussed superficially. Only a simple listing is appended below:

- What should be done with fencing and receiving rings? Should undercover operations infiltrate these?
- Should environmental design be modified to prevent burglary incidents?
- How can inertia after six months or a year of operation of the neighbourhood watch be avoided?
- How can the effectiveness of neighbourhood watch be assessed? Should evaluation be built into the program? Who should conduct evaluation?
- How can areas with high residential burglary rates be identified and protected?
- What role social development plays in prevention?

AUSTRALIAN INSTITUTE OF CRIMINOLOGY

BURGLARY SEMINAR

to be held at
Queensland Institute of Technology
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PARTICIPANTS

Mr Robert Ahern	Management Services Branch Queensland Police Department GPO Box 1440 Brisbane Qld 4001
Det Sgt Ken Barlow	Queensland Police Department GPO Box 1440 Brisbane Qld 4001
Mr David Biles	Deputy Director Australian Institute of Criminology PO Box 28 Woden ACT 2606
Ag/Superintendent R. Braybrook	Officer-in-Charge Information Bureau Victoria Police 376 Russell Street Melbourne Vic 3000
Mr Kevin Burgess	Deputy Chief Magistrate GPO Box 882G Melbourne Vic 3000
Mr Tom Cain	Head, School of Law Queensland Institute of Technology GPO Box 2434 Brisbane Qld 4001
Ms Wendy Cameron	Queensland Institute of Technology GPO Box 2434 Brisbane Qld 4001
Mr Ian Campbell	Senior Lecturer in Law Queensland Institute of Technology GPO Box 2434 Brisbane Qld 4001

Mr Justice P. Connolly	Supreme Court George Street Brisbane Qld 4000
Inspector John Cooper	Australian Federal Police London Circuit Canberra City ACT 2601
Sergeant Chris Coster	Neighbourhood Watch Co-ordinators Office Victoria Police 380 William Street Melbourne Vic 3000
Mr Ian Crettenden	Office of Crime Statistics Law Department GPO Box 464 Adelaide S.A. 5001
Mr Ian Dobinson	Bureau of Crime Statistics and Research GPO Box 6 Sydney NSW 2000
Det Inspector B. Gibson	New South Wales Police Department GPO Box 45 Sydney NSW 2001
Superintendent Tony Godwin	Northern Territory Police Department GPO Box 63 Darwin N.T. 5794
Mr John Hall	Regional Manager Insurance Council of Australia 229 Elizabeth Street Brisbane Qld 4000
Dr Neville Hathaway	Graduate School of Management University of Melbourne Parkville Vic 3052
Mr Andrew Hiller	University of Queensland St Lucia Qld 4067
Sergeant 2/C John Hopgood	Crime Prevention Section Queensland Police Department GPO Box 1440 Brisbane Qld 4001
Mr Brian Maclachlan	Director (Statistical Services) Australian Federal Police GPO Box 401 Canberra ACT 2600

Snr Constable Trevor Markwell	Management Services Branch Queensland Police Department GPO Box 1440 Brisbane Qld 4001
Sergeant 1/C Ross Melville	Queensland Police Department GPO Box 1440 Brisbane Qld 4001
Mr Laurie Monaghan	Investigations Manager NRMA Insurance Limited 151 Clarence Street Sydney NSW 2000
Det Inspector B. Morgan	Tasmania Police Department 81 Macquarie Street Hobart Tas 7000
Ms Jane Mugford	Principal Programs Officer Australian Institute of Criminology PO Box 28 Woden ACT 2606
Dr Satyanshu K Mukherjee	Principal Criminologist Australian Institute of Criminology PO Box 28 Woden ACT 2606
Ms Jane Munday	The Age GPO Box 257C Melbourne Vic 3001
Mr Arthur Parker	Homesure Manager NRMA Insurance Limited 151 Clarence Street Sydney NSW 2000
Sergeant A.R. Pilkington	Community Affairs Branch Western Australia Police Department 2 Adelaide Terrace Perth WA 6000
Mr Ivan Potas	Senior Research Officer Australian Institute of Criminology PO Box 28 Woden ACT 2606

Mr Mick Roelandts	Office of the Minister for Police and Emergency Services Macquarie Street Sydney NSW 2000
Mr Fred Richardson	South Australian Police GPO Box 1529 Adelaide S.A. 5001
Mr Jack Sandry	Australian Institute of Criminology PO Box 28 Woden ACT 2606
Ms Nicole Stehn	Queensland Institute of Technology GPO Box 2434 Brisbane Qld 4001
Dr Jeff Sutton	Director Bureau of Crime Statistics & Research GPO Box 6 Sydney NSW 2001
Professor Irvin Waller	Professor of Criminology University of Ottawa Canada
Mr Ray Whitrod	Australian Victims of Crime Association 1 Ayton Avenue Fulham S.A.
Dr Paul Wilson	Associate Professor of Sociology University of Queensland St Lucia Qld 4067

