

Five Reasons Not to Rely on the Criminal Justice System Alone to Prevent Crime

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The five reasons why I believe that we should not rely on the criminal justice system alone to prevent crime are:

- Many crimes are never reported to police, so the police and other criminal justice agencies will never investigate the matters, punish the offenders or support the victims. The following data shows the low level of reporting to police for some offences (especially those against the person):
 - Only about **one in three assaults, attempted burglaries and robberies** of the person **are ever reported to the police**¹
 - Even fewer sexual assaults are reported to police, with data from victim surveys suggesting that **only 15 to 20 per cent of sexual assaults are reported to police**²
- When crimes are reported to police, few are 'cleared'. An offence is generally cleared when criminal proceedings are commenced against an alleged offender. The following shows the clear-up rates for particular offences in Australia:
"More than:
 - 79% of robbery cases
 - 59% of extortion cases
 - 62% of sexual assault cases**remain unsolved 30 days after they have been reported**"³
This means that even when offences are reported to police, the likelihood of criminal proceedings being commenced against an alleged offender is reasonably low.
- Even when criminal proceedings are commenced, it is not guaranteed that the offender will be punished. The table below illustrates the attrition within the criminal justice system from crimes committed to offenders incarcerated:⁴

Offences Committed	100%
Offences Reported	45.2%
Offences Recorded	24.3%
Offences Cleared Up	5.5%
Offences Resulting in a Caution or Conviction	3.0%
Offences Resulting in a Conviction	2.2%
Offences Resulting in a Custodial Sentence	0.3%

It is clear – not all offences are reported to police; of those that are reported, not all are recorded by police; of those offences that are recorded and investigated, not all are solved (or cleared up) and still fewer result in an offender being punished.

- The criminal justice system is expensive to run. The more that is spent on prisons, police and courts administration, the less there is available for education, health care and welfare. It is estimated that in excess of \$10 billion is spent annually in Australia on the criminal justice system. These costs include:
 - \$7.2 billion on police
 - \$1.1 billion on courts administration
 - \$2.4 billion on corrections⁵

It is estimated that the cost per prisoner per day nationally is \$269⁶, while the cost in NSW for detaining a juvenile offender in custody is \$541 per day⁷. These costs show the expense of running the criminal justice system generally, and more specifically, the costs per day for detaining an adult and juvenile offender in custody. When you consider that approximately 44% of people leaving NSW prisons will return to prison in two years⁸, it is clear that the expenditure on prisons is not very effective in preventing re-offending.

- The costs of crime are significant. The emotional, physical and financial costs impact on all Australians. Therefore, it is important that we find successful ways to prevent crime.

The table below shows data from a study that attempted to measure the total costs of crime in Australia. Despite the challenges of doing this accurately, the data reveals some clear trends and demonstrates the significant costs of crime to Australia annually.⁹

Offences	Cost per incident 2005	Total costs 2005
Fraud	Not available	\$8.5 billion
Burglary	\$3,000	\$2.23 billion
Drug offences	N/A	\$1.8 billion
Arson	N/A	\$1.62 billion
Criminal damage	\$1,250	\$1.58 billion
Assault	\$1,700	\$1.41 billion
Homicide	\$1.9 million	\$950 million
Shop theft	\$125	\$875 million
Sexual assault	\$7,500	\$720 million
Vehicle theft	\$7,000	\$600 million
Theft from vehicles	N/A	\$529 million
Robbery	\$2,300	\$225 million

These five reasons suggest that we should not rely on the criminal justice system alone to prevent crime. And given the growing evidence that crime prevention techniques can be successful, there are many very good reasons why we should invest in the prevention of crime and not just expect the criminal justice system to fix the problem.

¹ Australian Bureau of Statistics (2007) Crime and Safety NSW, Australian Bureau of Statistics, 4509.1, Canberra.

² O'Brien, K.; Jones, C. and Korabelnikoff, V. (2008) 'What caused the decrease in sexual assault clear-up rates?', Contemporary Issues in Crime and Justice, No. 125, BOCSAR, Sydney.

³ Weatherburn, D. (2004) Law and Order in Australia: Rhetoric and Reality, Federation Press, Annandale, p 217.

⁴ Home Office 1999 as cited in Johnston, L. and Shearing, C. (2003) Governing Security: Explorations of Policing and Justice, Routledge.

⁵ Productivity Commission (2009) Report on Government Services 2009, Productivity Commission, Canberra.

⁶ Ibid.

⁷ NSW Auditor-General (2008) NSW Auditor-General's Report to Parliament 2008: Volume 5, Sydney.

⁸ NSW Audit Office (2006) Performance Audit: Prisoner Rehabilitation, Sydney.

⁹ Rollings, K. (2008) Counting the Costs of Crime in Australia: A 2005 Update, Australian Institute of Criminology, Canberra.