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Committee Secretary
Senate Legal and Constitutional Affairs Committee
Parliament House
Canberra ACT 2600

Re: Australian Crime Commission Amendment (Criminology Research) Bill 2016

This Bill has been referred to your Committee, and I offer some comments for the Committee's consideration.

The Australian Institute of Criminology has a long history of producing high quality policy relevant research. The record speaks for itself. There is definitely a need for high quality research to inform policy development and operations of the Australian Crime Commission, or as it will become, the Australian Criminal Intelligence Commission (ACIC). Repealing the Criminology Research Act 1971 and abolishing the Australian Institute of Criminology (AIC) is probably not the best way to go.

I write this as a former Director of the Australian Institute of Criminology. I held that post from 1994 to 2003 and was the longest serving Director. I am not opposed to change, and in the organisations I have led I have instituted transformational change. This has not always pleased everybody. I have never believed we should hang onto an organisation or a practice for sentimental reasons or because it has always been there. The AIC has been through many changes, and has often emerged with greater strengths.

The key question for the government is what does it want to learn from research, and how it might use independent research in its policy processes. There is also the issue of the best way to disseminate knowledge to the whole community. Everybody in Australia is a stakeholder in crime and safety, and good knowledge and data strengthens government across the whole spectrum, as well as the NGO sector which plays such an important role in justice, not to mention our academic institutions who do complementary research, but do not have the same focus and discipline as the AIC.

Minister Keenan's press release of 25 September 2015 said this is 'not about cutting costs or personnel of either agency; it's about creating a unified workforce incorporating staff of both agencies'. If this were a cost cutting exercise then action would be clearer. As it is not, then there is a great danger that the independence of criminological research will be greatly compromised.

Noting the importance of good research for the ACIC does not diminish the important of accessible national research for the criminological community and for Australia.

When I was at the AIC we played a key role in public accountability and ensuring that those who were part of important national debates had unbiased rigorous data upon

which to enter the debate. Our work was used by governments, students, and mostly by practitioners.

If the future output comes through an intelligence agency there are two likely scenarios. One is that much of what is researched will not be publicly available as it will be stamped with a security classification. The second is that it might not be believed, as coming from an intelligence agency people might always question hidden agendas and transparency of methodology and data. In short, people are less likely to take the output seriously and give it credibility. Without credibility research is hollow.

Let me give an example from my experience. While I was Director of the AIC I had a "top secret" security clearance. From time to time I would see classified material, and often would have no idea why it was classified, because there was nothing special or secret in it. What I soon discovered was that the quality of the material was so very poor that the author or agency would have been ashamed and even humiliated were it open to public scrutiny. Not only that, there were times when material came marked as classified, which was entirely plagiarised. The material which I recall, produced by the former NCA and other agencies, was on occasion an AIC or other public research document, word for word, but re-titled and classified.

I am sure we have moved on, but hiding behind a wall of classification, as will be inevitable if all our research comes through an intelligence agency, is not in the national interest.

Academic work is very different to intelligence work, and there is a key place for both. The AIC does policy oriented research, something that our universities do not do well. (I have been a professor at ANU, and in the US, and am currently a professor at Flinders University. I also have had 22 years in government). Putting the AIC in a university would be a much better option than putting it into an intelligence agency, but it is not the best solution.

Staffing will be an issue. People who do criminological research work on a wider canvas than those who do organised crime, and the gene pool of criminological researchers will diminish. While at the AIC I developed a contract research ethos where our income could be supplemented, but this also kept us on our toes and in touch with the real world. This will be lost if it is merged as planned.

The AIC has a global reputation, but I would not keep it for sentimental reasons only. Its independence is vital, and it has made a great contribution, and can continue to do so.